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METROPOLITAN
DISTRICT
COMMISSION

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Record of the Three Thousand Seven Hundred and Eighty Seventh (3787th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 3, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on September 19, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. WM93-060-C1A, dated October 3, 1996, with Wes Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury

2. Contract No. P96-1867-X1A, dated October 3, 1996, with Harris Environmental Systems, for Replacement of Existing Microprocessors on Refrigeration Units, at (4) Four Rinks - Charlestown, Newton, Hyde Park and Quincy.

3. Contract No. WM95-056-S1A, dated October 3, 1996, with Fugro East, for Bio-Engineered Erosion Controls Implementation.

4. Contract No. P95-1784-C1A, dated October 3, 1996, with A. W. Paine Construction Corp., for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston, Massachusetts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher and Jackson, July 31, recommending approval of the request of Foye & Letendre, Inc., General Contractor on Contract No. P92-1628-C5A, for 1996 Parkway Landscape Improvements, to engage the services of Tree Technology & Landscape Co., as sub-contractor for Tree Pruning, Selective Clearing and Pruning, Tree Removal and Stump Removal, at a cost of $69,735.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher, Brooks and Haider, August 29, requesting approval of Alteration No. 1, which will add the following items to the second year of the Contract -
Item No. 001-030 - Providing Maintenance Service - $ 6,500.00
Item No. 001-040 - Materials and Parts - $10,000.00
Total - $16,500.00
on Contract No. P95-1813-M1A, with P. H. Mechanical Corp., for Servicing of H.V.A.C. Systems at Various M.D.C. Facilities within the Metropolitan Parks System.
Funding from Account Nos. 2440-0010 and 2440-0110.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $16,500.00.

1. Report of Messrs. Faucher and DiPietro, September 27, recommending the following on Contract No. P95-1798-M1B, with Aquatic Control Technology, Inc., for Control of Nuisance Vegetation, Upper Mystic Lake, Winchester -
(a) That work be accepted as completed as of September 27, 1996.
(b) That Final, in the amount of $2,160.00, be approved for payment.
(c) That retainage, in the amount of $1,210.00, be approved for payment.
(Basis of Award - $25,000.00)
(Amount to Date - $25,000.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. P95-1798-M1B, be and hereby is accepted as completed as of September 27, 1996.
The Commission further V O T E D: to approve Final, in the amount of $2,160.00, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $1,210.00, for payment.

2. Report of Messrs. Faucher and DiPietro, September 16, recommending approval of the Final Draft Amendment Nos. 17 and 18 to the Municipal Agreement with the Town of Braintree for the Town Brook Flood Control Project No. P82-0A02, as signed by the Commission at its meeting of September 8, 1994. Amendment No. 17 - The "Commission" and the "Town" shall mutually determine all matters relative to any changes in future use and/or development of the Old Quincy Reservoir property, provided said use does not interfere with the flood control and Watershed protection measures. Amendment No. 18 - in the event that the "Commission" determines to sell or otherwise dispose of the Old Quincy Reservoir property, the "Commission" shall provide the "Town", through its Board of Selectmen, with the right of first refusal to acquire said property.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and DiPietro in their report of September 16, 1996.

3. Report of Messrs. Faucher and McCalla, August 9, recommending that work be accepted as complete as of July 31, 1996 on Contract No. P94-1738-M1A, with F. M. Emergency Generator, Inc., for Maintenance of Prime Power and Emergency Generators at Various Locations -
(Basis of Amount - $72.900.00)
(Amount to Date - $38,927.51)
(Contract Performance Rating - 3.70)
(EEO Compliance - 3.20)
The Commission V O T E D: that the work of F. M. Emergency Generator, Inc., Contractor under Contract No. P94-1738-M1A, be and hereby is accepted as completed as of July 31, 1996.

4. Report of Messrs. Faucher and Arinella, September 20, requesting that the Commission amend its vote of September 19, 1996 accepting the lowest bid received that of Entwistle Company, of

$29,000.00 and vote to accept the corrected bid of $28,500.00 for Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites.
(All other provisions of the approval shall remain as voted).
The Commission V O T E D: to amend its vote of September 19, 1996 accepting the lowest bid received that of Entwistle Company, of $29,000.00.
The Commission further V O T E D: to accept the corrected bid of Entwistle Company, of $28,500.00, for Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites.

1. Report of Messrs. Faucher and Sacco, September 10, recommending approval of the action of Acting Director Faucher resulting in the following on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc. for Rehabilitation of Mystic Valley Parkway, Winchester -

Revisions in Quantities

Item No. 024-062-Flowering Trees	-	$ 1,500.00
Item No. 038-030-Warning Signs	-	$ 270.00
Item No. 038-040-Sign Support	-	$ 252.00
Item No. 023-010-Engineers Field Office	-	$ 1,500.00
Total	-	$ 3,522.00

Extra Work Orders

No. 8 - Removal of Overhead Signal Sign Install an alternate means of warning and painting of Traffic Control Equipment.	-	$10,889.70
No. 9 - Alteration to Street Lights and Installation of Lighting in Parking Lot on South Border Road, Winchester	-	$45,307.71
Total	-	$56,197.41

and an extension of Time from August 2, 1996 to October 31, 1996.
(All at no increase in Contract cost as the Revisions in quantities and Extra Work Orders will be offset by unused quantities in other items).
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Revisions in Quantities and Extra Work Orders No. 8 and No. 9.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $3,522.00.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $10,889.50.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $45,307.71.
The Commission further V O T E D: to approve an extension of time from August 2, 1996 to October 31, 1996, as recommended by Messrs. Faucher and Sacco in their report of September 10, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Miss Overton and Messrs. Faucher and Abounaja, September 26, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for Removing and Disposing of 10 - 275 Gallon Fuel Tanks - Supply and Return Pipes and Accessories from Various MDC Facilities - at a

cost of $3,000.00 - on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Clean-Up at Various MDC Facilities.
Account Nos. 2490-8910 and 2441-9952.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $3,000.00.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Jackson, September 23, recommending approval of the request of the Contractor for an extension of time from September 2, 1996 to October 31, 1996, on Contract No. P96-1832-C1A, with J. J. Phelan and Sons, Inc., for Park Construction at Kent's Carpetland Parcel.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from September 2, 1996 to October 31, 1996, as recommended by Messrs. Faucher and Jackson in their report of September 23, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Martinez, September 27, on bids for Snow Guard Installation and Related Work at the LoConte Memorial Rink, Medford, Contract No. P97-1872-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of Diversified Contracting, Inc., of $42,260.00).
Account No. 2440-0110.
The Commission V O T E D: to accept the lowest bid received, that of Diversified Contracting, Inc., of $42,260.00.

3. Report of Mr. Faucher, October 1, on bids for Construction of Paul Revere Landing Park, Charlestown, Contract No. PL82-1022-C1A.
(Mr. Faucher recommends acceptance of the lowest bid received,that of RHD Construction Co., Inc./Paleo Equipment Co., Inc., of $3,795,442.70 - with all alternates).
The Commission V O T E D: to accept the lowest bid received,that of RHD Construction Co., Inc./Paleo Equipment Co., Inc., of $3,795,442.70 - with all alternates.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Robert O'Connor, September 25, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $2,149.00; to purchase approximately 307 cords of firewood on Timber Lot No. 130A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of $2,551.00; to purchase approximately 32,400 board feet of sawlogs, and 38 cords of pulp

on Timber Lot No. 136 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of John Ducat Lumber, of $13,075.00; to purchase approximately 145,250 board feet of sawlogs and 256 cords of pulp on Timber Lot No. 137 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tim Robinson, of $28,277.50; to purchase approximately 603,040 board feet of sawlogs and 329 cords of firewood on Timber Lot No. 236A - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Valley Logging, of $14,693.71; to purchase approximately 237,995 board feet of sawlogs, 178 cords of firewood and 472 tons of whole tree wood on Timber Lot No. 259 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wagner Wood, of $17,977.00; to purchase approximately 177,930 board feet of sawlogs and 51 cords of firewood on Timber Lot No. 679A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of $17,170.85; to purchase approximately 180,000 board feet of timber and 131 cords of firewood; on Timber Lot No. 681A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Heyes Forest Products, of $52,107.85; to purchase approximately 286,120 board feet of sawlogs, 160 cords of firewood and 100 cords in tops on Timber Lot No. 686A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $2,016.00; to purchase approximately 144 cords of firewood on Timber Lot No. 688A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $4,455.00; to purchase approximately 55,030 board feet of sawlogs and 40 tons of pulp on Timber Lot No. 752 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Tommila Brother, of $36,027.83; to purchase approximately 343,985 board feet of sawlogs, 161 cords of firewood and 60 cords of tops on Timber Lot No. 753 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $21,165.00; to purchase approximately 254,876 board feet of sawlogs, 10 cords of firewood and 732 tons of pulp on Timber Lot No. 754 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of R. Williams Logging, of $3,578.00; to purchase approximately 126,503 board feet of sawlogs, 105 cords of firewood and 110 tons of pulp on Timber Lot No. 755 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $9,611.00; to purchase approximately 101,710 board feet of sawlogs and 147 cords of firewood on Timber Lot No. 756 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified

bid, that of Allard Bros., of $16,289.07; to purchase approximately 210,147 board feet of sawlogs, 146 cords of firewood and 18 tons of pulp on Timber Lot No. 757 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of United Forest Resources, of $21,601.00; to purchase approximately 434,490 board feet of sawlogs, 430 cords of firewood and 124 tons of pulp on Timber Lot No. 758 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $3,601.00; to purchase approximately 50,405 board feet of sawlogs, 4 cords of firewood and 104 tons of pulp on Timber Lot No. 759 - Quabbin Reservoir Watershed.

1. Report of Mr. McGinn, September 26, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1717, conveying NE 1/2 of Lot No. 1027, to Shirley B. Russell.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1717, dated October 3, 1996, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, September 12, submitting for approval Project Summary, Project Justification and Work Schedule for Project No. PL-97-044-S1A, for Lower Neponset River Master Plan Area; Comprehensive Site Assessment at Pope John Paul II Park.
Estimated Cost - $600,000.00.
Estimated Time for Performance - eighteen months.
Funding from Account No. 2449-8755.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, September 23, on behalf of the Consultant Selection Committee, recommending selection of HNTB, for Contract No. PL95-036-D1A, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridges.
Estimated Cost - $650,000.00 - subject to negotiations.
Time for Performance - to be coordinated with CA/T roadway design.
Account No. 2449-1003.
The Commission V O T E D: Approved.

4. Report of Mr. Jewett, September 23, on behalf of the Consultant Selection Committee, recommending selection of the Maguire Group, Inc., for Contract No. P94-1713-D1A, for Quincy Shore Drive and Wollaston Beach Shore Protection - Rehabilitation.
Estimated Cost - $100,000.00 - subject to negotiations.
Time for Performance - fifteen months.
Account No. 2490-8915.
The Commission V O T E D: Approved.

1. Report of Mr. McDonald, September 27, requesting that the Commission approve and adopt the MDC Commercial Driver's License Holders Drug/Alcohol Testing Policy and the Manual Outlining the Program.
The Commission V O T E D: Held Over.

2. Report of Miss Overton, Mr. Traficante and Mrs. Johnson, October 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise for Drug and Alcohol Testing Project for MDC Employees Holding Commercial Drivers Licenses.
Cost not-to-exceed - $78,850.00
Time for Performance - Twelve months with an option to renew for two additional twelve month periods.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for Drug and Alcohol Testing Project for MDC Employees Holding Commercial Drivers Licenses.

Adjourned at 9:35 a.m., to meet on Thursday, October 10, 1996, at 9:00 a.m.

William F. Crushold
Secretary

Record of the Three Thousand Seven Hundred and Eighty Eighth (3788th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 10, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on September 26, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P94-1753-C1A, dated October 10, 1996, with T-Ford Company, for Nahant Comfort Station Sewage System Modification.

2. Contract No. WM96-048-C1A, dated October 10, 1996, with United Electric Company, for Improvements to the Electrical System, at the Division of Watershed Management, Field Administration Complex, West Boylston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Haider, October 4, recommending the following on Contract No. P96-1817-C1A, with P. H. Mechanical Corp., for Capital Improvements or Major Replacement of HVAC Systems, Including Hot Water and Make Up Air at Various MDC Facilities -

Extra Work Order No. 1	$ 792.90
Thermostatic Valves for Fin Radiation	
Extra Work Order No. 2	$ 3,987.76
Thermostats for Unit Heaters	
Extra Work Order No. 3	$25,925.20
Hot Water Storage Tanks	
Extra Work Order No. 4	$ 4,455.00
Back Flow Preventors	
Extra Work Order No. 5	$ 1,836.60
Tempering Valve	
Extra Work Order No. 6	$24,111.40
Unit Heaters at Dilboy Pool, Somerville	
Total Cost -	$61,108.86

and an extension of time from August 31, 1996 to December 1, 1996. Account No. 2440-0010.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $792.90.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $3,987.76.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $25,925.20.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $4,455.00.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $1,836.60.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $24,111.40.

The Commission further V O T E D: to approve an extension of time from August 31, 1996 to December 1, 1996, as recommended by Messrs. Faucher, Brooks and Haider in their report of October 4, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Jackson, October 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P97-1875-C1A, for Reconstruction of John H. Dooley Playground, Hyde Park.
Budget for Project - $100.000.00.
Estimated Time for Performance - three months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1875-C1A, for Reconstruction of John H. Dooley Playground, Hyde Park.

2. Report of Mr. Faucher and Miss Peterson, October 4, recommending approval of Extra Work Order No. 1, for furnishing and installing a pipe drain at Span E, at a cost of $1,575.17, on Contract No. P82-1054-C1A, with Middlesex Corporation/ Middlesex Paving/ Middlesex Bituminous Products/Middlesex Inc. and Middlesex Materials Corporation, for Repair of Charles Circle Bridges #57A and #57B, Boston.
(At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 016-020 - Substructure Spall Repair Greater than 6" Deep).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $1,575.17.

3. Report of Messrs. Faucher and Arinella, September 26, recommending that work be accepted as completed as of July 31, 1996, on Contract No. P94-1740-M1A, with P. J. Kennedy & Sons, Inc., for Maintenance, Repair or Replacement of Heating Ventilating and Air Conditioning Systems, Various Areas of Flood Control/Navigational Sites.
(Basis of Award - $78,800.00)
(Amount to Date - $77,953.98)
(Contract Performance Rating - 4.00)
(EEO Compliance - 1.20)
Following a lengthy discussion, the Commission directed that the EEO Compliance Evaluation form be placed in the firm's folder and be taken into consideration before being permitted to bid on future MDC Contracts.
The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P94-1740-M1A, be and hereby is accepted as completed as of July 31, 1996.

4. Report of Messrs. Faucher and Machado, October 1, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1864-C1A, for Repairing/Replacing Bituminous and Cement

Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan District.
Cost - $750,000.00.
Time for Performance - thirteen months.
Account Nos. 2490-0017 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1864-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan District.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, September 30, requesting approval of Alteration No. 1, in which the Contractor will substitute necessary work in lieu of removal and setting of masonry blocks, on Contract No. WM86-004-C2A, with RDA Construction Corporation, for Expedient Remedial Repairs and Reconstruction Training Wall, Stearns Dam.
(At no additional cost to the Commission).
The Commission V O T E D: to approve Alteration No. 1, as requested by Messrs. McGinn and Kane in their report of September 30, 1996.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Queeley, September 5, requesting approval and execution of Amendment No. 2, which calls for an increase of $37,119.00 to address MEPA concerns of the Secretary of Environmental Affairs and an extension of time from October 30, 1996 to June 30, 1997, on Contract No. PL-93-023-D1A, with The Planner's Cooperative, Inc., for Lower Neponset River Master Plan - Master Plan and Design Services.
Account No. 2449-8755.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated October 10, 1996, to Contract No. PL-93-023-D1A, with The Planner's Cooperative, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

3. Report of Mr. McDonald, September 27, requesting that the Commission approve and adopt the MDC Commercial Driver's License Holders Drug/Alcohol Testing Policy and the Manual Outlining the Program.
The Commission V O T E D: Held Over.

4. Report of Mr. Jewett, October 4, on behalf of the Consultant Selection Committee, recommending selection of Childs Engineering Corporation, for Contract No. PL95-037-D1A, for New Charles River Basin/Lovejoy Wharf.
Estimated Cost - $500,000.00 - subject to negotiations.

Time for Performance - twelve months.
Account No. 2449-1001.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of October 4, 1996.

1. Report of Major DiFava and Sergeant Kelly of the State Police, September 30, requesting that the section of roadway, between the Centre Street Rotary and Kelly Circle (a/k/a the service road or inner Arborway), be designated as having a speed limit of 30 miles per hour.
The Commission V O T E D: Approved as requested and that signage indicating the speed limit of 30 miles per hour be posted forthwith.

2. Report of Mr. Jewett, October 7, on behalf of the Consultant Selection Committee requesting selection of Fugro East, Inc., for Contract No. WM95-051-S1A, for Gates Brook Treatment Feasibility Study.
The Commission is further requested to Amend its vote of July 28, 1994, approving the Contract, by increasing the maximum obligation from $80,000.00 to $140,000.00.
The Commission is further requested to execute the Contract.
Time for Performance - nineteen months.
Account No. 2420-1400.
Associate Commissioner Carr questioned the reason for a 75% increase in the cost of the Study over that which was approved by the Commission at its Meeting of July 28, 1994.
Mr. Jewett explained that the increase was a result of the Division incorporating into the Scope of Services important suggestions made by Fugro East, Inc., which were not in the original plan.
Associate Commissioner Carr stated that if the additional work was included in the original Scope of Services there might have been more interest shown by larger and more experienced Consultants in submitting proposals.
Following a lengthy discussion, the Commission V O T E D: to approve the selection of Fugro East, Inc., for Contract No. WM95-051-S1A, for Gates Brook Treatment Feasibility Study.
The Commission further V O T E D: to Amend its vote of July 28, 1994, approving Contract No. WM95-051-S1A, by increasing the maximum obligation from $80,000.00 to $140,000.00.
The Secretary then submitted for signature Contract No. WM95-051-S1A, dated October 10, 1996, with Fugro East, Inc., which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 9:55 a.m., to meet on Thursday, October 17, 1996, at 9:00 a.m.

William T. Cowhig
Secretary

Record of the Three Thousand Seven Hundred and Eighty Ninth (3789th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 24, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 3, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. PL92-017-C1A, dated October 24, 1996, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration - Phase I.

2. Contract No. P96-1863-C1A, dated October 24, 1996, with D & R General Contracting, Inc./MDR Construction Co., Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.

3. Contract No. P97-1872-C1A, dated October 24, 1996, with Diversified Contracting, Inc., for Snow Guard Installation and Related Work at the LoConte Memorial Rink, Medford.

4. Contract No. P96-1843-M1B, dated October 24, 1996, with Entwistle Company, for Service to Hydraulic Power Systems at Various Flood Control/Navigational Sites.

5. Interdepartmental Service Agreement No. WM97-028-S1A, dated October 24, 1996, with the University of Massachusetts - Amherst, for Development of Methods to Differentiate Microorganisms in MDC Reservoir Watersheds.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Mayhew, October 11, recommending approval of Alteration No. 1, a credit to the Commission of $319.76, for the following items on Contract No. P96-1831-C1A, with Wayne & Co., Inc., for Building Demolition and Site Improvements, Victory Road, Dorchester -

AT&T Cordless Telephone Model No. 5310 (not required)	- $189.08
Project Sign (not required)	- $100.00
Deletion of Removal of Concrete Pad (removal of pad would have adverse effects on existing seawall)	- $ 30.76
Total	- $319.76.

The Commission V O T E D: to approve Alteration No. 1, at a credit to the Commission, in the amount of $319.76.

7. Report of Messrs. Faucher and Mayhew, October 15, recommending

approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for installation of a link safety fence, at a cost of $352.59, on Contract No. P96-1831-C1A, with Wayne & Co., Inc., for Building Demolition and Site Improvements, Victory Road, Dorchester.
Funding from Account No. 2440-8956.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1 on Contract No. P96-1831-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $352.59.

1. Report of Messrs. Faucher, Brooks and Mayhew, October 9, recommending ratification and approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - at a cost of $22,338.00, for installing bituminous concrete paving on the areas left voided by the demolition of the garage and bathhouse, on Contract No. P96-1865-C1A, with Jay-Mor Enterprises, for Demolition of Garage and Bathhouse, Revere.
Funding from Account No. 2440-8952.
The Commission V O T E D: to ratify and approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P96-1865-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $22,338.00.

2. Report of Messrs. Faucher and Whelan, August 31, recommending the following on Contract No. P96-1826-C1A, with Ledgewood Construction Co., Inc., for Boston Harbor Beaches Early Resanding at Pleasure Bay, South Boston and Wollaston Beach -
(a) That work be accepted as completed as of August 31, 1996.
(b) That Estimate No. 3 (Final), in the amount of $66,847.82, be approved for payment.
(c) That reserve, in the amount of $17,748.86, be approved for payment.
(Basis of Award - $423,200.00)
(Amount to Date - $354,977.13)
(Contract Performance Rating - 4.50)
(EEO Compliance - 5.00)
The Commission V O T E D: that the work of Ledgewood Construction Co., Inc., Contractor under Contract No. P96-1826-C1A, be and hereby is accepted as completed as of August 31, 1996.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $66,847.82, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $17,748.86, for payment.

3. Report of Messrs. Faucher and Jackson, October 9, requesting approval of revisions in quantities on Contract No. P96-1832-C1A, with J. J. Phelan and Sons, Inc., for Park Construction at Kents Carpetland Parcel, as follows -

Item No. 000-003 -	Demolition and Removal of Existing Concrete Curb	- $ 20.00
Item No. 000-008 -	Curved Granite Curb	- $ 92.00
Item No. 000-009 -	Chain Link Fence	- $350.00
Item No. 000-010 -	Wood Guard Rail	- $100.00
	Total	- $562.00

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(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 000-021 - Traffic Control Services).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Higgott, October 15, requesting approval of the request of the Consultant for an extension of time from November 30, 1996 to June 30, 1998, on Contract No. P82-1112-D2A, with Hayden/Wegman, for Peddocks Island Pier Replacement, due to delay of Permit review by MEPA, DEP, MHC and CZM regarding seawall construction.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Machado, September 19, recommending the following on Contract No. P95-1801-C1A, with T. L. Edwards, Inc., for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District -
(a) That work be accepted as completed as of August 19, 1996.
(b) That Estimate No. 10 (Final), in the amount of $66,861.34, be approved for payment.
(c) That reserve, in the amount of $18,333.47, be approved for payment.

(Basis of Award - $1,392,633.50)
(Amount to Date - $1,468,984.96)
(Contract Performance Rating - 4.00)
(EEO Compliance - 4.16)

The Commission V O T E D: that the work of T. L. Edwards, Inc., Contractor under Contract No. P95-1801-C1A, be and hereby is accepted as completed as of August 19, 1996.
The Commission further V O T E D: to approve Estimate No. 10 (Final), in the amount of $66,861.34, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,333.47, for payment.

3. Report of Messrs. Faucher and Arinella, October 11, recommending that work be accepted as completed as of July 31, 1996, on Contract No. P95-1800-M1A, with Rust Utility Service, Inc., for Service to Underwater Structures at Various Areas of Flood Control/Navigational Sites.

(Basis of Award - $47,625.00)
(Amount to Date - $45,626.65)
(Contract Performance Rating - 4.50)
(EEO Compliance - 3.15)

The Commission V O T E D: that the work of Rust Utility Service, Inc., Contractor under Contract No. P95-1800-M1A, be and hereby is accepted as completed as of July 31, 1996.

4. Report of Mr. Faucher and Miss Peterson, October 21, recommending approval of Extra Work Order No. 2, for installation of a cast-in-place foundation for lightpole, at a cost of $2,203.29, on Contract No. P82-1054-C1A, with Middlesex Corporation/ Middlesex Paving/Middlesex Bituminous Products/Middlesex Inc., and Middlesex Materials Corporation, for Repair of Charles Circle Bridges #57A and #57B, Boston.
(At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 016-020 - Substructure Spall

Repair Greater than 6" Deep).
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $2,203.29.

1. Report of Messrs. Faucher and Sacco, September 12, recommending approval of Alteration No. 1, a credit of $683.52, for not removing all four existing traffic gates, but to remove only two gates - on Item No. 001-020 - on Contract No. P92-1646-C3A, with W. H. Hughes, Inc., for Installation of Traffic Gates, John J. Beades Drawbridge, Dorchester.
Associate Commissioner Carr noting that the Contractor's bid for Item No. 001-020 - Removal of Four Gates, was $7,000.00, questioned why the Credit to the Commission for the Alteration was only $683.52, for removal of two gates.
Mr. Sacco explained the reasons for the recommendation.
On questioning by the Commission, Mr. Jewett stated that he did not concur with Mr. Sacco's recommendation. Mr. Jewett then read the section of the Contract's "boiler plate" dealing with Alterations.
Following a lengthy discussion, the Commission voted to Hold Over the item pending receipt of additional information for the Commission Meeting of November 7, 1996.

2. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, October 22, recommending that the Commission amend its vote of October 3, 1996, awarding Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to RHD Construction Co., Inc./Paleo Equipment Co., Inc., by correcting an error of $5.00 in Item No. 020-100, resulting in a corrected bid of $3,795,447.70.
(All other terms and conditions of the low bid remain as approved by the Commission).
Account No. 2449-6033.
The Commission V O T E D: to amend its vote of October 3, 1996, awarding Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to RHD Construction Co., Inc./Paleo Equipment Co., Inc., by correcting an error of $5.00 in Item No. 020-100, resulting in a corrected bid of $3,795,447.70.

3. Report of Messrs. Faucher and Machado, October 7, on bids for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System, Contract No. P96-1862-C1A.
(Messrs. Faucher and Machado recommend acceptance of the lowest bid received, that of South Shore Fence Co., Inc., of $874,953.16).
The Commission V O T E D: to accept the lowest bid received, that of South Shore Fence Co., Inc., of $874,953.16.

4. Report of Messrs. Faucher, Brooks and Haider, October 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Contract No. P97-1878-M1A, for Maintenance of Heating, Ventilating and Air Conditioning Systems at Various MDC Facilities.
Estimated Cost - $50,000.00.
Time for Performance - Approximately seven months.

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Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. P97-1878-M1A, for Maintenance of Heating, Ventilating and Air Conditioning Systems at Various MDC Facilities.

1. Report of Miss Overton and Messrs. Faucher and Orfant, October 9, requesting that the Commission rescind its vote of January 20, 1994, approving Contract No. P94-1714-D1A, for Design Services for Rehabilitation of Winthrop Shore Drive, Winthrop, and approve Project Summary, Project Justification, Work Schedule and authorize solicitation of Consultant Services for Contract No. P97-1877-D1A, for Boston Harbor Beaches: Winthrop Shores/Short Beach Project.
Engineering Services - $700,000.00.
Time for Performance - twenty four months.
Account Nos. 2440-8956 and 2490-8915.
The Commission V O T E D: to rescind its vote of January 20, 1994, approving Contract No. P94-1714-D1A, for Design Services for Rehabilitation of Winthrop Shore Drive, Winthrop.
The Commission further V O T E D: to approve Contract No. P97-1877-D1A, for Boston Harbor Beaches: Winthrop Shores/Short Beach Project.
The Commission further V O T E D: to authorize solicitation of Consultant Services for Contract No. P97-1877-D1A.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, October 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to issue a Request for Responses on Contract No. WM96-010-S1A, for Inspection of Watershed Management Dams.
Estimated Cost - not-to-exceed $65,000.00.
Estimated Duration of the Contract - four months after Notice to Proceed.

Account No. 2420-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to issue a Request for Responses on Contract No. WM96-010-S1A, for Inspection of Watershed Management Dams.

3. Report of Messrs. McGinn and Kane, October 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to issue a Request for Responses on Contract No. WM96-011-S1A, for Follow-Up Investigation, Winsor Dam, Ware/Belchertown.
Estimated Cost - not-to-exceed $150,000.00.
Estimated Duration of the Contract - six months after Notice to Proceed.

Account No. 2420-7882.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to issue a

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Request for Responses on Contract No. WM96-011-S1A, for Follow-Up Investigation, Winsor Dam, Ware/Belchertown.

1. Report of Messrs. McGinn and Ronald O'Connor, October 10, requesting approval of the request of the Consultant for an extension of time from October 31, 1996 to March 31, 1997, on Contract No. WM95-011-D1A, with Woodward Clyde Consultants, for Restoration of the Downstream Areas, Goodnough Dike, Ware, due to delays caused by on-site conditions.
(At no increase in Contract cost).
Also requesting authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

2. Report of Mr. McGinn and Ms. Carr, September 25, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, a Memorandum of Agreement with the Towns of Boylston, Holden, Princeton, Sterling, Rutland, West Boylston and Paxton, for Wachusett Area Household Hazardous Waste Collection, Contract No. WM97-077-X1A.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, a Memorandum of Agreement with the Towns of Boylston, Holden, Princeton, Sterling, Rutland, West Boylston and Paxton, for Wachusett Area Household Hazardous Waste Collection, Contract No. WM97-077-X1A.

3. Report of Messrs. McGinn and Baratta, October 21, on bids for Fast Track Construction Project - Pinecroft Area of Holden & West Boylston, Contract No. WM95-061-C1A.
(Messrs. McGinn and Baratta recommend acceptance and execution of the lowest bid received, that of Roads Corporation of $6,461,380.80).
The Commission V O T E D: to accept the lowest bid received, that of Roads Corporation of $6,461,380.80.
The Secretary then submitted for signature Contract No. WM95-061-C1A, dated October 24, 1996, with Roads Corporation, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. McGinn and Baratta, October 17, requesting that the Commission rescind its vote of August 22, 1996, which authorized preparation of an Amendment to the Contract with Weston & Sampson Engineers, Inc., for provision of Construction Administration and Inspection Services - Fast Track Sewer Project - Pinecroft Area, due to a delay in receiving a waiver from Administration and Finance permitting Weston & Sampson Engineers, Inc., to continue service without additional competitive procurement.
Messrs. McGinn and Baratta further request authorization for the Contract Administrator to advertise for Requests for Responses for Construction Administration and Inspection Services for the Fast Track Sewer Project - Pinecroft Area - Holden/West Boylston.

Compensation - $1,480,000.00.
Account No. 2420-7961.
The Commission V O T E D: to rescind its vote of August 22, 1996, which authorized preparation of an Amendment to the Contract with Weston & Sampson Engineers, Inc., for provision of Construction Administration and Inspection Services - Fast Track Sewer Project - Pinecroft Area, as requested by Messrs. McGinn and Baratta in their report of October 17, 1996.
The Commission further V O T E D: authorization for the Contract Administrator to advertise for Requests for Responses for Construction Administration and Inspection Services for the Fast Track Sewer Project - Pinecroft Area - Holden/West Boylston.

1. Report of Messrs. McGinn and Baratta, October 17, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization for the Contract Administrator to prepare an Amendment to Contract with Weston & Sampson Engineers, Inc., for provision of construction administrative services in conformance with the scope of services for Fast Tract Sewer Project - Pinecroft Area, Holden/West Boylston.
Time of Performance - at least three months during construction start-up phase.
Compensation - not-to-exceed - $120,000.00.
Account No. 2420-7960.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Contract Administrator to prepare an Amendment to Contract with Weston & Sampson Engineers, Inc., for provision of construction administrative services in conformance with the scope of services for Fast Tract Sewer Project - Pinecroft Area, Holden/West Boylston.

Action was taken upon the following Various Matters:

2. Report of Mr. McDonald, September 27, requesting that the Commission approve and adopt the MDC Commercial Driver's License Holders Drug/Alcohol Testing Policy and the Manual Outlining the Program.
The Commission V O T E D: Approved.
The Commission further V O T E D: to adopt the MDC Commercial Driver's License Holders Drug/Alcohol Testing Policy and the Manual Outlining the Program.

3. Report of Mr. French, October 8, on behalf of the Consultant Selection Committee, requesting approval of a service contract with the firm of ICON/Lane, Frenchman and Associates, Inc., for Design Services for Recreation Complex Prototype. Lump Sum of $45,000.00 and shall be paid on a task completion basis.
Time for Performance - not-to-exceed three months.
Mr. French further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Mr. Jewett, October 23, on behalf of a Consultant Selection Committee, requesting selection of Clean Harbors Environmental Services, Inc., for Contract No. WM96-077-X1A, for Wachusett Area Household Hazardous Waste Collection and authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
Compensation - not-to-exceed $40,000.00 - basis of $39.00 per vehicle.
Time for Performance - will not exceed eight months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. WM96-077-X1A, with Clean Harbors Environmental Services, Inc., for Wachusett Area Household Hazardous Waste Collection.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, October 21, submitting for approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Interdepartmental Service Agreement between the MDC and Massachusetts Highway Department, for the New Charles River Basin, Land Acquisition, Phase II - (parcels at North Point in Cambridge and in the area of Lovejoy Wharf in Boston).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Interdepartmental Service Agreement between the MDC and Massachusetts Highway Department, for the New Charles River Basin, Land Acquisition, Phase II - (parcels at North Point in Cambridge and in the area of Lovejoy Wharf in Boston).

Adjourned at 10:20 a.m., to meet on Thursday, November 7, 1996, at 9:00 a.m.

William J. Cusack
Secretary

Record of the Three Thousand Seven Hundred and Ninetieth (3790th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 7, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on October 10, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract Agreements, dated November 7, 1996, with the following individuals and Worcester Horticultural County Citizens, as Rain Gauge Observers - for FY97, FY98 and FY99 -

Quabbin	**Wachusett**
Arthur R. Coolidge	David Rota
Doris E. Cornwell	Dennis S. Moore
Glen M. Dickson	John F. Flanagan, Jr.
John Guzik	Worcester Horticultural County Citizens.

2. Contract No. PL92-007-S1A, dated November 7, 1996, with Goody, Clancy & Associates, for Charles River Basin Master Plan.

Action was taken upon the following matters relating to the Engineering an Construction Division:

3. Report of Messrs. Faucher and Sacco, September 12, recommending approval of Alteration No. 1, a credit of $683.52, for not removing all four existing traffic gates, but to remove only two gates - on Item No. 001-020 - on Contract No. P92-1646-C3A, with W. H. Hughes, Inc., for Installation of Traffic Gates, John J. Beades Drawbridge, Dorchester.
The Commission V O T E D: Delete from Agenda.

4. Report of Messrs. Faucher and Jackson, October 23, requesting approval of a budget not-to-exceed $30,000.00, for the procurement of materials, services and related expenses for the MDC Exhibit for the 1997 Massachusetts Horticultural Society Flower Show - Project No. P93-1687-X5A.
Account No. 2448-0000.
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Jackson, October 9, requesting approval of Extra Work Order No. 1, for installation of sod instead of grass seed, at a cost of $7,912.50, on Contract No. P96-1832-C1A, with J. J. Phelan and Sons, Inc., for Park Construction at Kent's Carpetland Parcel, Quincy.
Account No. 2440-8956.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $7,912.50.

6. Report of Messrs. Faucher and DiRamio, October 2, recommending

the following on Contract No. P95-1797-C1A, with Popico, Inc., d/b/a Holden Farms Nursery, for Planting at Boston Harbor Beaches -
(a) That work be accepted as completed as of September 15, 1996.
(b) That Estimate No. 8 (Final), in the amount of $1,837.41, be approved for payment.
(c) That reserve, in the amount of $11,953.60, be approved for payment.

(Basis of Award - $310,300.00)
(Amount to Date - $239,072.00)
(Contract Performance Rating - 3.00)
(EEO Compliance - 4.00)

The Commission V O T E D: that the work of Popico, Inc., d/b/a Holden Farms Nursery, Contractor under Contract No. P95-1797-C1A, be and hereby is accepted as completed as of September 15, 1996.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $1,837.41, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $11,953.60, for payment.

1. Report of Messrs. Faucher and McCalla, September 23, recommending the following on Contract No. P94-1736-M1A, with Coviello Electric and General Contracting Co., Inc., for Electric Maintenance Work at Various Sports Facilities and Recreational Areas -
(a) That work be accepted as completed as of July 31, 1996.
(b) That Estimate No. 25 (Final), in the amount of $4,156.79, be approved for payment.
(c) That reserve, in the amount of $218.78, be approved for payment.

(Basis of Award - $164,420.00)
(Amount to Date - $223,900.34)
(Contract Performance Rating - 4.17)
(EEO Compliance - 3.80)

The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P94-1736-M1A, be and hereby is accepted as completed as of July 31, 1996.
The Commission further V O T E D: to approve Estimate No. 25 (Final), in the amount of $4,156.79, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $218.78, for payment.

2. Report of Messrs. Faucher and McCalla, September 23, recommending the following on Contract No. P94-1737-M1A, with Coviello Electric & General Contracting Co., Inc., for Electronic and Sound Maintenance and Repair Work at Various Sports Facilities & Recreational Areas -
(a) That work be accepted as completed as of July 31, 1996.
(b) That Estimate No. 24 (Final), in the amount of $1,801.97, be approved for payment.
(c) That reserve, in the amount of $94.84, be approved for payment.

(Basis of Award - $161,000.00)
(Amount to Date - $154,166.32)
(Contract Performance Rating - 4.17)
(EEO Compliance - 3.60)

The Commission V O T E D: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P94-1737-M1A, be and hereby is accepted as completed as of July 31, 1996.
The Commission further V O T E D: to approve Estimate No. 24 (Final), in the amount of $1,801.97, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $94.84, for payment.

1. Report of Messrs. Faucher and McCalla, October 28, recommending approval of revisions in quantities on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Property, as follows-

Item No. 014-010 -	24" Aluminum Standard	- $10,115.00
Item No. 056-010 -	High Pressure Fixture 400 W	- $ 2,337.50
	Total	- $12,452.50

(At no additional Contract cost as the revisions in quantities will be offset by unused quantities in Item No. 006-010, Materials, Components and Parts).
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Graves-Jones, October 23, recommending approval of revisions in quantities on Contract No. P96-1836-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts as follows -

Item No. 017-010 Detector Lead-in Cable	$1,050.00
Item No. 015-015 Traffic Signal Cable-15 Conductor	$1,500.00
Item No. 015-021 Traffic Signal Cable-21 Conductor	$ 750.00
Item No. 016-010 General Purpose Wire (XHH W#14)	$ 375.00
Item No. 011-010 Cement Concrete Foundation Removed and Discarded	$1,000.00
Item No. 011-020 Cement Concrete Foundation Octagonal Base	$1,000.00
Item No. 019-010 Traffic Control Services	$3,000.00
Total -	$8,675.00

(At no increase in Contract cost as the revisions in quantities will be offset by unused quantities in Item Nos. 002-010, 003-020, 006-010, 006-20, 007-010, 007-020 and 010-010).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Haider, October 25, on bids for Replacement of Heating Boiler and Domestic Hot Water at Cronin Rink, Revere and Domestic Hot Water at Devine Rink, Dorchester.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of Master Contractors, Inc., of $152,976.00).

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The Commission V O T E D: to accept the lowest bid received, that of Master Contractors, Inc., of $152,976.00.

Action was taken upon the following Various Matters:

1. Report of Miss Overton, October 28, requesting approval and execution of a renewal Contract-Agreement with Jenna L. Ide, for Subwatershed Program Coordination Services, for the Neponset River Watershed Initiative Program.
Compensation - not-to-exceed $23,550.00, which includes $1,500.00 for travel expenses.
Time for Performance - 7.50 hours a day - for a total of 240 days.
Account No. 2449-8755.
The Commission V O T E D: Approved.
The Secretary then submitted for signature renewal Contract-Agreement, dated November 7, 1996, with Jenna L. Ide, for Subwatershed Program Coordination Services, for the Neponset River Watershed Initiative Program, which was signed by the Commissioner and two Associate Commissioners.

2. Report of Miss Overton and Mr. Broderick, November 1, requesting authorization to enter into an Agreement with the Bunker Hill Museum for the loan and exhibition of three MDC owned dioramas and that Commissioner Balfour be authorized to execute the Agreement on behalf of the Commission.
The Commission V O T E D: authorization to enter into an Agreement with the Bunker Hill Museum for the loan and exhibition of three MDC owned dioramas.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Agreement on behalf of the Commission.

Adjourned at 9:30 a.m., to meet on Thursday, November 14, 1996, at 9:00 a.m.

William J. Cruchal
Secretary

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Record of the Three Thousand Seven Hundred and Ninety-First (3791st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 14, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 24, 1996 were read and approved.
Associate Commissioner Carr noting that he was not at the Commission Meeting of August 1, 1996, abstained from voting on this matter.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated November 14, 1996, to Contract-Agreement No. P82-1112-D2A, with Hayden/Wegman, for Peddocks Island Pier Replacement.

2. Contract No. P97-1873-C1A, dated November 14, 1996, with Master Contractors, Inc., for Replacement of Heating Boiler and Domestic Hot Water at Cronin Rink, Revere and Domestic Hot Water at Devine Rink, Dorchester.

3. Contract No. PL82-1022-C1A, dated November 14, 1996, with RHD Construction Co., Inc./Paleo Equipment Co., Inc., for Construction of Paul Revere Landing Park, Charlestown.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Mayhew, November 6, recommending approval of the request of Allied Weatherproofing Co., Inc., Contractor on Contract No. P96-1855-C1A, for Installation of New Roofing, William P. Connery Skating Rink, Lynn, to engage the services of Tar-Vel Roofing Co., as sub-contractor, for Installation of a Cold Process Roofing System on the Service Building Roof.
They further request that the Commission waive the provisions of Article XVI of the Contract that stipulates in part that the General Contractor "shall perform with his own organization work amounting to not less than 50% of the original total Contract bid price".
The Commission V O T E D: to approve the request of Allied Weatherproofing Co., Inc., Contractor on Contract No. P96-1855-C1A, for Installation of New Roofing, William P. Connery Skating Rink, Lynn, to engage the services of Tar-Vel Roofing Co., as sub-contractor, for Installation of a Cold Process Roofing System on the Service Building Roof.
The Commission further V O T E D: to waive the provisions of Article XVI of the Contract that stipulates in part that the General Contractor 'shall perform with his own organization work amounting to not less than 50% of the original total Contract bid price".

1. Report of Messrs. Faucher and Arinella, October 8, recommending the following on Contract No. P95-1799-M1A, with Balfour Engineering Company, for Service to Hydraulic Power Systems at Various Areas of Flood Control/Navigational Sites -
(a) That work be accepted as completed as of September 30, 1996.
(b) That Estimate No. 3 (Final), in the amount of $6,475.20, be approved for payment.
(c) That reserve, in the amount of $340.00, be approved for payment.
(Basis of Award - $41,600.00)
(Amount to Date - $37,916.00)
(Contract Performance Rating - 3.20)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Balfour Engineering Company, Contractor under Contract No. P95-1799-M1A, be and hereby is accepted as completed as of September 30, 1996.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $6,475.20, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $340.00, for payment.

2. Report of Messrs. Faucher and Jackson, November 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Contract No. P92-1628-C6A, for 1997 Parkway Landscape Improvements.
Estimated Cost - $250,000.00.
Time for Performance - twelve months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. P92-1628-C6A, for 1997 Parkway Landscape Improvements.

3. Report of Messrs. Faucher and Jackson, November 5, requesting approval of Extra Work Order No. 1, for installation of trees, shrubs and plants, plus sod at the Centennial Park, Revere Beach, at a cost of $11,850.00, on Contract No. P92-1628-C5A, with Foye & Letendre Landscaping, Inc., for Parkway Landscape Improvements.
Account No. 2490-8910.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $11,850.00.

3. Report of Miss Overton and Messrs. Faucher and Abounaja, November 4, recommending approval of revision in quantities on Contract No.P95-1789-C1A, with Zenone, Inc., for Contaminated Site Clean-up at Various MDC Facilities, as follows -

Item No. 001-001	**$ 80,000.00**
Remove & Dispose of 1000 to 5000 Gallon U.S.T.	
Item No. 001-006	**$ 4,000.00**
Rock Excavation & Disposal	
Item No. 001-007	**$162,500.00**
Excavation & Lawful Disposal of Contaminated Soil	
Item No. 001-008	**$ 20,000.00**
Removal & Disposal of Fuel Tank Contents	

Item No. 001-011	**$ 10,000.00**
Removal & Proper Disposal of Contaminated Ground Water	
Item No. 003-002	**$ 5,000.00**
Trench Excavation Complete in Place	
Item No. 003-003	**$ 30,000.00**
Gravel Backfill & Compaction	
Item No. 003-004	**$ 8,000.00**
Cement Concrete Pavement Repair	
Item No. 003-005	**$ 5,000.00**
Bituminous Concrete Pavement Repair	
Item No. 004-001	**$ 13,000.00**
Remedial Work Crew Shift	
Total -	**$337,500.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 001-003, 001-004, 001-005, 001-009, 001-010, 001-012, 002-001, 002-002, 002-003, 002-004, 002-005, 002-006, 002-007, 005-005, 005-006, 005-007, 005-008, 005-009 and 005-010).
The Commission V O T E D: Approved as recommended by Miss Overton and Messrs. Faucher and Abounaja in their report of November 4, 1996.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Mr. Faucher and Miss Peterson, November 6, recommending approval of the request of the Contractor, for a revision in quantities on Item No. 007-010 - Class I Bituminous Concrete Pavement - Top Course, at a cost of $1,280.00, on Contract No. P82-1054-C1A, with Middlesex Corporation/Middlesex Paving/ Middlesex Bituminous Products/ Middlesex, Inc./Middlesex Materials Corporation, for Repair of Charles Circle Bridges #57A and #57B, Boston.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 007-020 - Class I Bituminous Concrete Pavement (Binder Course).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Miss Peterson in their report of November 6, 1996.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, November 4, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1716, conveying North East 1/4 of Lot No. 717 to Julia Scandrett.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1716, dated November 14, 1996, which was signed by the Commissioner and two Associate Commissioners.

3. Report of Messrs. McGinn and Kane, November 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Contract No. WM97-012-X1A, for Demolition/Removal and Disposal of Three (3) Sheds, at the MDC Marlboro Filter Beds.

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Estimated Cost - $7,000.00.
Estimated Time of Performance - Sixty days from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. WM97-012-X1A, for Demolition/Removal and Disposal of Three (3) Sheds, at the MDC Marlboro Filter Beds.

1. Report of Messrs. McGinn and Kane, November 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Contract No. WM97-011-X1A, for Dismantling of Barn, Stockpiling of Selected Timber and Removal of Debris, Sterling, Massachusetts.
Estimated Cost - $18,000.00.
Estimated Time of Performance - Sixty days from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Contract No. WM97-011-X1A, for Dismantling of Barn, Stockpiling of Selected Timber and Removal of Debris, Sterling, Massachusetts.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, November 8, submitting for approval Open Order Contract No. RP97-0003, for Surveys for Watershed Land Acquisition FY96 - Worcester, Franklin and Hampshire Counties.
Cost - $75,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

Thence N. 34° 22′ 28" W., 80.22 feet, to another MDC concrete bound set;

Thence N. 31° 20′ 49" W., 537.85 feet, running along a portion of stone wall and through a wire fence, to an iron pipe found at the northeasterly corner of land, now or formerly, of Wright;

Thence S. 67° 13′ 46" W., 278.81 feet, to another MDC concrete bound set;

Thence S. 52° 29′ 42" W., 51.19 feet, to an MDC concrete bound set to replace an iron pipe found at the northwesterly corner of the Wright parcel, at a common corner with two parcels, now or formerly, of Orrin W. Jr. & Cynthia L. Mason, the last five courses being by land, formerly of Peters, now or formerly, of Wright;

Thence N. 03° 13′ 28" E., 982.56 feet, to an MDC concrete bound set;

Thence On the same bearing, 724.23 feet, crossing a creek, and running to a drill hole set in a corner of stone walls, at land, formerly of Donald R. & Jeanette M. Temple, now of the Commonwealth of Massachusetts, MDC, said drill hole also marking the southwesterly corner of land, formerly of R.S. Mirick et ux, now of the Commonwealth of Massachusetts, DFWELE, the last two courses being by land, now or formerly, of the aforesaid Mason;

Thence S. 74° 17′ 38" E., 157.03 feet by a stone wall, to a drill hole set at the end of the wall;

Thence S. 73° 13′ 56" E., running by a wire fence and recrossing the creek, 361.22 feet, to an iron pipe set;

Thence S. 70° 43′ 46" E., running by the wire fence and a wall segment, 547.14 feet to an MDC concrete bound set at a corner;

Thence N. 24° 31′ 34" E., 1146.50 feet, running along the wire fence, to an iron pipe set, in a pile of stones found, at a corner;

Thence S. 89° 13′ 10" E., 456.61 feet, along the wire fence, to an iron pipe set, in a pile of stones found, at a corner and land formerly of Davis Dairy Inc., now of the Commonwealth of Massachusetts, MDC;

Thence S. 42° 08′ 49" E., 366.86 feet, along the wire fence, to an iron pipe set, in a pile of stones found, at a corner;

Thence N. 45° 12′ 45" E., 387.77 feet, along the fence, to an MDC concrete bound set;

Thence On the same bearing, 458.29 feet, along the fence, to another MDC concrete bound set at a corner, near a dead tree with wire fence attached;

Thence S. 39° 59′ 27" E., 480.46 feet, along the wire fence, to a drill hole set in a corner of stone walls, said point being the northeasterly corner of land, now or formerly, of Ralph F. & Susan R. Divirgilio, being the 16th lot shown on a subdivision survey recorded with Worcester District Registry of Deeds as Plan 64 in Plan Book 480, the last four courses being by land now of the Commonwealth of Massachusetts, MDC, formerly of Davis Dairy Inc.;

Thence S. 51° 27′ 10" W., 144.71 feet, by the stone wall, to a drill hole found;

Thence S. 51° 09′ 23" W., 217.98 feet, by the wall, to a drill hole found;

Thence S. 51° 19′ 14" W., 86.79 feet, by the wall, to a drill hole found;

Thence S. 50° 55′ 41" W., 159.83 feet, by the wall, to a drill hole found;

Thence S. 51° 40′ 23" W., 195.04 feet, by the wall, to a drill hole found;

Thence S. 51° 13′ 23" W., 182.21 feet, by the wall, to a drill hole found;

Thence S. 50° 20′ 17" W., 127.11 feet, by the wall, to a drill hole found;

Thence S. 51° 19′ 13" W., 165.46 feet, by the wall, to a drill hole found;

Thence S. 50° 40′ 23" W., 229.17 feet, by the wall, to a point;

Thence S. 50° 20′ 23" W., 110.00 feet, by the wall, to a point;

Thence S. 51° 30′ 23" W., 67.80 feet, by the wall, to a drill hole found;

Thence S. 51° 50′ 52" W., 153.13 feet, by the wall, to a drill hole found in a wall corner, being the southwesterly corner of the 1st lot shown upon the above cited recorded subdivision survey plan, the said lot 1 being land, now or formerly, of Eric & Blanche L. Gregory, the last twelve courses being by the northwesterly lines of the various owners of the sixteen lots shown upon the cited plan;

Thence S. 32° 56′ 50" E., 11.18 feet, by the stone wall, and Lot 1, land now or formerly, of Gregory, to a drill hole set at a corner of walls, and other land, now or formerly, of Donald R. & Ann M. Haynes, excluded from this taking, to be retained by them;

Thence S. 40° 39′ 36" W., 108.29 feet, by the wall, to a point;

Thence S. 38° 18′ 30" W., 441.88 feet, by the wall, to a drill hole set;

Thence S. 29° 42′ 04" W., 138.28 feet, by the wall, to a drill hole set;

Thence S. 25° 05′ 35" W., 234.39 feet, by wall segments, to a drill hole set;

Thence S. 24° 53′ 39" W., 203.03 feet, by wall segments, to a drill hole set;

Thence S. 17° 51′ 24" W., 157.50 feet, by the wall, to a drill hole set;

Thence S. 18° 01′ 04" W., 95.03 feet, by the wall, to a point;

Thence S. 21° 58′ 19" W., 102.25 feet, by the wall, to a point at land, now or formerly, of David R. & Loretta A. Haynes, as shown upon survey plans recorded with Worcester District Registry of Deeds as Plan 79 in Plan Book 257 and Plan 60 in Plan Book 283, the last eight courses being by Parcel 1, land, now or formerly, of Donald R. & Ann M. Haynes, to be retained by them, as shown upon an engineered survey plan cited below at the conclusion of this description;

Thence S. 14° 30′ 47" W., by the wall, 86.70 feet to an iron pipe found in the wall;

Thence S. 12° 22′ 47" W., by the wall, 40.00 feet to a point at an angle in the wall;

Thence S. 11° 37′ 13" E., by the wall, 25.00 feet to another angle in the wall;

Thence S. 40° 37′ 13" E., by the wall, 144.00 feet to an iron pipe found in a corner of walls in the northwesterly line of Sterling Road, the last four courses being by land, now or formerly, of David R. & Loretta A. Haynes;

Thence S. 54° 14′ 44" W., 205.28 feet, by and through the wall and by the northwesterly line of Sterling Road, to a point;

Thence S. 67° 13′ 54" W., 109.13 feet, by the road, crossing a creek and running by and through a wall segment, to a point at its′ westerly end;

Thence S. 77° 45′ 01" W., 101.61 feet, by the road, to a drill hole set in the easterly end of a wall segment;

Thence S. 84° 12′ 21" W., 49.06 feet, by the wall and the road to the first mentioned iron pipe at the southeasterly corner of land, now or formerly, of the aforesaid Wright, being the point and place of beginning.

Containing 83.266 acres, more or less, as shown as Parcel 2 upon a two sheet plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County) Massachusetts, Land Taking Plan For Watershed Protection", dated 6/20/96, and prepared by Andrysick Land Surveying, Inc., which plan shall be recorded with Worcester District Registry of Deeds and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the same premises described in a deed from Harold Haynes et als to Donald R. Haynes and Ann M. Haynes, dated May 10, 1967 and recorded with Worcester District Registry of Deeds in Book 4770, Page 124.

The above described property is represented upon Holden Assessors Tax Map 11 as the westerly and northerly portions of Parcel 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Donald R. Haynes and Ann M. Haynes	$ 290,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $290,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 17.185 acres of land owned by R. Gary Griffin, Trustee of Sterling Nominee Trust, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $405,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 17.185 acres of land owned by R. Gary Griffin, Trustee of Sterling Nominee Trust, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 14, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of sprout land situated in the southerly part of said Town of Sterling, on the northerly side of the town road leading from Sterling to Boylston, now known as Newell Hill Road, shown as Parcel "C" upon a survey plan referenced at the conclusion of this description, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described at a pile of stones at a point in the northeasterly line of Newell Hill Road, at land, formerly of Frank W. & Mary A. Kingsbury, recently of The Trust For Public Land, and now of the Commonwealth of Massachusetts, Metropolitan District Commission, being the third parcel described in a deed from The Trust For Public Land to the Commonwealth of Massachusetts, MDC, dated December 11, 1986 and recorded with Worcester District Registry of Deeds on December 24, 1986 in Book 10088, Page 318.

Thence S. 80° 43′ 20" E., 918.68 feet, by land of the Commonwealth, to a Concrete bound at a corner and land, formerly of Charles Kendall, formerly of Francis S. Wyman & James E. Wyman, Trustees of Pine Tree Realty Trust, now Commonwealth of Massachusetts, MDC;

Thence S. 1° 56′ 06" W., 1126.12 feet, to a concrete bound;

Thence S. 2° 36′ 33" W., 274.26 feet, to a drill hole at Newell Hill Road, the last two courses being by land, formerly of Pine Tree Realty Trust, Francis S. Wyman & James E. Wyman, Trustees, now Commonwealth of Massachusetts, MDC;

Thence N. 42° 30′ 48" W., 190.18 feet, by the northeasterly side of Newell Hill Road, to a point;

Thence N. 35° 06′ 46" W., 31.08 feet, by the northeasterly line of the road, to a point;

Thence N. 19° 56′ 34" W., 154.36 feet, to a point at Parcel B, a portion of the property excluded from this taking;

Thence N. 70° 55′ 58" E., 70.52 feet, to a point at a corner;

Thence N. 11° 58′ 00" W., 65.00 feet, to a point;

Thence N. 29° 58′ 00" W., 75.00 feet, to a point;

Thence N. 79° 58′ 00" W., 80.00 feet, to a point;

Thence S. 7° 33′ 18" W., 56.86 feet, to a point;

Thence S. 49° 06′ 14" E., 77.07 feet, to a point;

Thence S. 05° 11′ 40" E., 33.30 feet, to a point in the northeasterly line of Newell Hill Road, the last seven courses being by the excluded Parcel "B";

Thence N. 38° 57′ 19" W., 92.30 feet, by the line of the road, to a point;

Thence N. 49° 06′ 26" W., 96.44 feet, by the road, to a point;

Thence N. 55° 38′ 08" W., 82.43 feet, by the road, to a point;

Thence N. 46° 28′ 43" W., 73.45 feet, by the road, to a point;

Thence N. 41° 11′ 22" W., 378.20 feet, by the road, to a point at Parcel "A", another excluded parcel;

Thence N. 57° 13′ 02" W., 60.47 feet, to a point at a corner;

Thence N. 52° 30′ 00" E., 102.73 feet, to a point at a corner;

Thence N. 37° 30′ 00" W., 128.00 feet, to a point at another corner;

Thence N. 56° 30′ 00" E., 55.00 feet, to a point at a corner;

Thence N. 33° 30′ 00" W., 90.00 feet, to a point at a corner;

Thence S. 56° 30′ 00" W., 105.00 feet, to a point;

Thence S. 12° 20′ 51" W., 75.00 feet, to a point;

Thence S. 19° 27′ 30" E., 80.00 feet, to a point in the northeasterly line of Newell Hill Road, the last eight courses being by the excluded Parcel"A";

Thence N. 41° 11′ 22" W., 127.00 feet, to an iron pipe set;

Thence N. 30° 25′ 11" W., 107.44 feet, to another iron pipe set;

Thence N. 18° 35′ 00" W., 115.40 feet, to an iron pipe set;

Thence N. 12° 54′ 25" W., 120.69 feet, to an iron pipe set;

Thence N. 4° 27′ 32" W., 250.07 feet, to the pile of stones at the northwesterly corner of the parcel, being the point and place of beginning, the last five courses being by the northeasterly line of Newell Hill Road.

Containing, 17.185 acres, as shown as Parcel "C" upon a plan entitled "Plan Of Land In Sterling MA. R. Gary Griffin Trustee For Sterling Nominee Trust", dated 12 September 1995, revised May 30, 1996 and June 17, 1996, and prepared by Donald A. Para, P.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 28 in Plan Book 705.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Newell Hill Road which may be held by the supposed owner, as a result of his ownership of the above described property, and being most of the same premises described in a deed from Albert H. Suprenant, Jr. and Robyn Suprenant to Bradley P. Wilson, Trustee of Sterling Nominee Trust, dated November 9, 1992 and recorded with Worcester District Registry of Deeds in Book 14778, Page 84.

The above described property is represented upon Sterling Assessors Tax Map 15 as most of Parcel 20.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land, and expressly reserving to the owner of said premises ten foot wide construction and slope easements around Parcel "B" and along the southerly and easterly lines of Parcel "A", and a fifteen foot wide slope and construction easement along the northerly line of Parcel "A", together with two permanent twenty foot wide sewer easements, the first running from Newell Hill Road to Parcel "B" adjoining and parallel with the 21.37 foot course as described above, and the second running from Newell Hill Road to Parcel "A" southeasterly from a line extending S. 56° 50′ 00" W., 90 feet from the 105.00 foot course in the description above, all of which slope, construction and sewer easements are shown upon the survey plan cited above.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
R. Gary Griffin, Trustee Sterling Nominee Trust	$ 405,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $405,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 14.512 acres of land owned by William T. Kranz, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $168,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 14.512 acres of land owned by William T. Kranz, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 14, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Main Street-Route 70, and generally opposite Diamond Hill Avenue, more particularly bounded and described as follows:

Beginning at a point on the easterly line of the 1924 Worcester County Layout of Main Street-Route 70 at a drill hole set, at land, now or formerly, of Ernest A. & Agnes T. Brandt, said point being the northernmost corner of the parcel herein being described;

Thence S. 36° 39′ 15" E., 33.01 feet to an iron pipe found;

Thence On the same bearing 500.00 feet to a concrete bound set;

Thence Still on the same bearing 501.19 feet to an iron pipe found, at land, now or formerly, of Palmer W., Jr. & Martha E. Bigelow, the last three courses being by land, now or formerly, of Brandt;

Thence S. 32° 02′ 26" E., 149.25 feet by land, now or formerly, of Bigelow, to an iron pipe found at the southeasterly corner of the parcel, at land, now or formerly, of Timberbrook Condominiums;

Thence S. 40° 38′ 45" W., 678.49 feet by land, now or formerly, of Timberbrook Condominiums, entering and running by a stone wall to a stone bound found, at the southernmost corner of the parcel, and land, now or formerly, of Nelson P. & Louise A. Wood;

Thence N. 30° 20′ 02" W., 323.65 feet by land, now or formerly, of Wood, to a stone bound found at a point in a stone wall, at land, now or formerly, of Kevin M. & Susan A. Pascucci;

Thence N. 10° 03′ 20" W., 192.33 feet, by land, now or formerly, of Pascucci, to a stone bound found at a corner, and other land, now or formerly, of Kranz, shown as "Lot B" upon a plan referenced at the conclusion of this description;

Thence N. 11° 46′ 02" W. 370.00 feet, by "Lot B", to a concrete bound set at a corner;

Thence N. 71° 58′ 45" W., 250.00 feet, by "Lot B", to a concrete bound set at a point on the easterly layout line of Main Street-Route 70;

Thence N. 01° 00′ 54" E., 100.84 feet by the easterly layout line of Main Street-Route 70 to a Worcester County Highway stone bound found;

Thence Still by the easterly layout line of the highway, along the arc of a curve to the right having a radius of 560.00 feet for an arc distance of 495.61 feet, said arc being subtended by a central angle of 50° 42′ 27", running to a point near an iron pipe with brass cap found;

Thence N. 51° 43′ 21" E., by the highway layout line, 51.99 feet to the first mentioned iron pipe found at the northernmost corner of the property being described, being the point and place of beginning.

Containing 14.512 acres, more or less, as shown as "Lot A" upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Boylston, Mass.(Worcester County), Land Taking Plan For Watershed Protection", dated May 30, 1995 and prepared by Schofield Brothers of New England, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this instrument.

INCLUDING a 20 foot wide right of way across "Lot B", the remaining lands not taken, for access to "Lot A" over an existing cart path, as shown upon the above referenced plan.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described and including any and all fee interest in Main Street-Route 70 which may be held by the supposed owner, and being most of the same premises described in a deed from Pauline Shepardson to William T. Kranz, dated May 30, 1978 and recorded with Said Deeds at Book 6468, Page 225.

The above described property is represented upon Boylston Assessors Tax Map 30 as Parcel 53.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
William T. Kranz	$ 168,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $168,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, November 7, requesting approval and execution of Amendment No. 2, which increases the Management Fee from $300,000.00 to $350,000.00 for FY1997, for the Agreement with the Massachusetts Audubon Society for the Operation and Maintenance of the Blue Hills Trailside Museum and Chickatawbut Hill Center.
Account No. 2440-9004.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 2, dated November 14, 1996, to Agreement with the Massachusetts Audubon Society for the Operation and Maintenance of the Blue Hills Trailside Museum and Chickatawbut Hill Center, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Jewett, November 8, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following seven Contract-Agreements for Watershed Land Acquisition - Open Order Contract No. RP97-0003 - Land Survey Services -

NAME	VALUE	PARCELS
Berry Engineering	$ 9,150.00	2
Cullinan Engineering Co. Inc.	$15,544.00	1
James E. Gaffney Co.	$19,280.00	2
Guerard Survey Co. & Associates	$14,214.00	2
Hub Survey Associates, Inc.	$ 4,720.00	1
Gary D. Lanpher, Jr. PLS	$ 4,100.00	2
David E. Ross Associates, Inc.	$ 6,800.00	1
Total -	$73,808.00	

Time for Performance - sixty (60) days.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, the seven Contract-Agreements for Watershed Land Acquisition - Open Order Contract No. RP97-0003 - Land Survey Services.

3. Report of Mr. Jewett, November 8, requesting approval of and authorization for Commissioner Balfour to execute on behalf of the Commission Contract No. WM97-096-X1A, with Law Offices of Peter E. Flynn, for Title Examination Services - Fast Track Sewer Project - Pinecroft Area of Holden and West Boylston.
Total Number of Parcels - twenty-five.
Compensation - $6,600.00.
Time for Performance - thirty days.
Account No. 2421-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission Contract No. WM97-096-X1A, with Law Offices of Peter E. Flynn, for Title Examination Services - Fast Track Sewer Project - Pinecroft Area of Holden and West Boylston.

4. Report of Mr. Jewett, November 8, requesting approval of and authorization for Commissioner Balfour to execute on behalf of

the Commission Contract No. WM97-097-X1A, with Peter S. Emerson and Associates, for Professional Real Estate Appraisal Services - Fast Track Sewer Project - Pinecroft Area of Holden and West Boylston.
Total Number of Parcels - twenty-five.
Compensation - $28,500.00.
Time for Performance - thirty days.
Account No. 2421-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission Contract No. WM97-097-X1A, with Peter S. Emerson and Associates, for Professional Real Estate Appraisal Services - Fast Track Sewer Project - Pinecroft Area of Holden and West Boylston.

Adjourned at 9:45 a.m., to meet on Thursday, November 21, 1996, at 9:00 a.m.

William F. Cowhill
Secretary

Record of the Three Thousand Seven Hundred and Ninety-Second (3792nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 21, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 7, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P96-1862-C1A, dated November 21, 1996, with South Shore Fence Co., Inc,. for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan Park System.

2. Amendment, dated November 21, 1996, to Contract-Agreement with Weston and Sampson Engineering, Inc., for provision of Construction administrative services in conformance with the scope of services for Fast Track Sewer Project - Pinecroft Area.

Action was taken upon the following matters relating to the Engineering an Construction Division:

3. Report of Messrs. Faucher and Machado, November 15, on bids for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District, Contract No. P96-1864-C1A.
(Messrs. Faucher and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting Company, Inc./MDR Construction Company, Inc., of $742,776.10).
They further recommend that the bid of J. Marchese & Sons, Inc., be rejected, due to an incomplete bid.
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting Company, Inc./MDR Construction Company, Inc., of $742,776.10.
The Commission further V O T E D: to reject the bid of J. Marchese & Sons, Inc., due to an incomplete bid.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

4. Report of Messrs. Faucher and Machado, November 18, recommending approval of Extra Work Order No. 2, for Protective Steel Cover Plates on sections of the B. U. Bridge sidewalks, at a cost of $4,275.00, on Contract No. P95-1803-C1A, with J. Marchese and Sons, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District.
(At no increase in Contract cost as the cost of the Extra Work will be offset by unused quantities in Item No. 018-010, Cement Concrete Sidewalks, Medians and Traffic Islands, one course, 4" thick).
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $4,275.00.

1. Report of Mr. Faucher and Miss Peterson, November 18, recommending approval of the request of the Contractor, for a revision in quantities on Item No. 020-020 - Steel Light Pole - at a cost of $2,423.71, and Alteration No. 2, which reduces cost of the pole from $3,400.00 to $2,423.71, a savings of $976.29, on Contract No. P82-1054-C1A, with Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc./Middlesex Materials Corporation, for Repair of Charles Circle Bridges #57A and #57B, Boston.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 007-020 - Class 1 Bituminous Concrete Pavement (Binder Course).
The Commission V O T E D: to approve the revision in quantities on Item No. 020-020 - Steel Light Pole at a cost of $2,423.71.
The Commission further V O T E D: to approve Alteration No. 2, which reduces cost of the pole from $3,400.00 to $2,423.71, a Credit to the Commission in the amount of $976.29, as recommended by Mr. Faucher and Miss Peterson in their report of November 18, 1996.

2. Report of Mr. Faucher and Ms. Pfetsch, November 18, on bids for Captain's House Renovations Blue Hills Reservation, Milton, Contract No. P94-1749-C1A.
(Mr. Faucher and Ms. Pfetsch recommend acceptance of the lowest bid received, that of D. Clancy & Sons, Inc., of $243,000.00). They further recommend rejection of the second lowest bid, that of Langton & Douglas Contracting, Inc., as they are lacking a current Historical Building Restoration Certification which is required.
The Commission V O T E D: to accept the lowest bid received, that of D. Clancy & Sons, Inc., of $243,000.00.
The Commission further V O T E D: to reject the second lowest bid, that of Langton & Douglas Contracting, Inc., as they are lacking a current Historical Building Restoration Certification which is required.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Mr. McGinn, November 15, requesting approval of an extension of time from November 30, 1996 to June 30, 1997, on Contract No. WM95-058-S1A, with Rackemann Environmental Services, for Evaluations of Wastewater Funding Alternatives - at no increase in Contract cost.
Mr. McGinn further requests execution of the Amendment.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated November 21, 1996, to Contract No. WM95-058-S1A, with Rackemann Environmental Services, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, November 18, submitting for approval and execution Agreement, between the MDC and Charles River Recreation, Inc., for providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, from December 1, 1996 through March 9, 1999.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated November 21, 1996, between the MDC and Charles River Recreation, Inc., for providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, November 15, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following nine Contract-Agreements for Watershed Land Acquisition Open Order Contract No. RP97-0001 - Professional Real Estate Appraisal Services -

NAME	**VALUE**		**PARCELS**
Winthrop Real Estate Advisors	$ 7,500.00	[1 Update]	2
Reynolds Company	$29,250.00	[5 New]	5
Leo M. Flynn	$49,550.00	[8 New] [4 Updates]	12
Peter S. Emerson & Associates	$38,450.00	[8 New] [2 Updates]	10
Meredith & Grew, Inc.	$ 1,900.00	[1 Update]	1
O'Connor Real Estate Assoc., Inc.	$ 1,500.00	[1 Update]	1
Steven C. Byrnes Associates, Inc.	$ 1,050.00	[1 Update]	1
G & M Valuation	$ 1,600.00	[1 Update]	1
Ellen Harding Anderson	$25,750.00	[8 New]	8

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, the nine Contract-Agreements for Watershed Land Acquisition Open Order Contract No. RP97-0001 - Professional Real Estate Appraisal Services.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

1. Report of Mr. Jewett, November 18 on behalf of a Division of Watershed Management Proposal Review Committee, requesting approval of the selection of Revet Environmental & Analytical Laboratories, Inc., for Contract No. WM96-049-X1A, for Laboratory Services for Water Quality Analysis.
Compensation - A unit cost basis with an upset limit of $40,000.00.
Time for Performance - from Notice to Proceed to June 30, 1998.
Account No. 2420-1400.
The Commission V O T E D: to approve the selection of Revet Environmental & Analytical Laboratories, Inc., for Contract No. WM96-049-X1A, for Laboratory Services for Water Quality Analysis, as recommended by Mr. Jewett in his report of November 18, 1996.

2. Report of Miss Overton, November 15, requesting approval of a request from the Attorney General's Office which will extend the time from November 30, 1996 through January 4, 1997, on Tolling Agreement concerning Indian Line Farm Superfund Site in Canton.
Miss Overton further request that the Commission execute the Tolling Agreement.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Tolling Agreement, dated November 21, 1996, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

3. Report of Miss Overton, November 20, requesting that approval be granted to the Commonwealth Zoological Corporation to serve beer and wine at the Educational Resource Center, Stone Zoo, Stoneham, on Monday, November 25, 1996, between 6:30 P.M. and 9:30 P.M., in conjunction with a Special Holiday Event.
Miss Overton further requests that authorization be given to Secretary Chisholm to issue the Permit.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Secretary Chisholm to issue the Permit.

4. Report of Mr. Jewett, November 20, on behalf of a Consultant Selection Committee requesting selection of the firm of Health Resources Corporation, for Drug and Alcohol Testing Program.
Compensation - not-to-exceed $24,900.00 - paid on a unit price basis, with unit price subject to further negotiations with the contractor.
Time for Performance - twelve months with a Commission option to renew for an additional two twelve month periods as reflected in the October 3, 1996 Commission vote.
Mr. Jewett further requests authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
Account No. 2440-0010.
The Commission V O T E D: to approve selection of the firm of Health Resources Corporation, for Drug and Alcohol Testing Program.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, November 15, requesting authorization to expend $157,000.00, for Open Order Contract No. RP97-0001 - Appraisals for Watershed Land Acquisition and Protection in FY97. Account No. 2421-9936 - under Sections 6 and 12 of the Chapter 36 of the Acts of 1992 (Cohen Bill) as amended by Sections 29 and 30 of Chapter 85 of the Acts of 1994.
The Commission V O T E D: authorization to expend $157,000.00, for Open Order Contract No. RP97-0001 - Appraisals for Watershed Land Acquisition and Protection in FY97, as recommended by Mr. Gray in his report of November 15, 1996.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, November 19, requesting approval and execution of a formal one-year Permit/Agreement with Bay State Cruise Lines, Inc., to provide Water Transportation To and Among the Boston Harbor Islands State Park for the Metropolitan District Commission and the Department of Environmental Management.
Time for Performance - December 1, 1996 to November 30, 1997, with two one-year extensions for the 1998 and 1999 seasons.
The service to be provided free of charge to the Department of Environmental Management and the Metropolitan District Commission.
The Commission V O T E D: Approved as requested by Mr. Broderick in his report of November 19, 1996.
The Secretary then submitted for signature Permit/Agreement, dated November 21, 1996, with Bay State Cruise Lines, Inc., to provide Water Transportation To and Among the Boston Harbor Islands State Park for the Metropolitan District Commission and the Department of Environmental Management, which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

Adjourned at 9:50 a.m., to meet on Thursday, December 5, 1996, at 9:00 a.m.

William F. Cursh
Secretary

Record of the Three Thousand Seven Hundred and Ninety Third (3793rd) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 5, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 14, 1996 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. WM94-008-C1A, dated December 5, 1996, with S. J. V. Electric, Inc., for Furnishing and Installing Emergency Electrical Generation and Associated Work at the Quabbin Administration Complex, Belchertown.

Action was taken upon the following matters relating to the Engineering an Construction Division:

2. Report of Messrs. Faucher and Jackson, October 21, on request of A. W. Paine Construction Corporation, General Contractor, on Contract No. P95-1784-C1A, for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston, to engage the services of the following sub-contractors -
Shear Metals, Inc. **$7,000.00**
Paint Removal from Marine Park Bandstand
Metropolitan Welding & Construction Co., Inc. **$3,475.00**
Installation of Temporary Construction Fencing.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Martinez, October 4, recommending the following on Contract No. RE-9502-X1A, with D. N. Kelly & Son Shipyard, for Repairs & Repowering of 56 Foot LCM -
(a) That work be accepted as completed as of August 26, 1996.
(b) That Estimate No. 5 (Final), in the amount of $10,507.00, be approved for payment.
(c) That reserve, in the amount of $3,453.30, be approved for payment.
(Basis of Award - $58,006.00)
(Amount to Date - $69,066.00)
(Contract Performance Rating - 4.30)
(EEO Compliance - 4.40)
The Commission V O T E D: that the work of D. N. Kelly & Son Shipyard, Contractor under Contract No. RE-9502-X1A, be and hereby is accepted as completed as of August 26, 1996.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $10,507.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,453.30, for payment.

4. Report of Mr. Faucher and Ms. Pfetsch, December 2, recommending ratification of the action taken by Acting Director Faucher resulting in an extension of time from November 30, 1996 to June

30, 1997, on Contract No. P94-1749-D1A, with David P. Handlin and Associates, for Captain's House Renovations, Blue Hills Reservation, Milton.
(At no increase in Contract cost).
The Commission V O T E D: to ratify the action taken by Acting Director Faucher which resulted in an extension of time from November 30, 1996 to June 30, 1997, on Contract No. P94-1749-D1A, with David P. Handlin and Associates, for Captain's House Renovations, Blue Hills Reservation, Milton.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, November 21, requesting approval of Extra Work Order No. 1, for installation of safety and security lighting along the walkways and parking lot area, at a cost of $3,700.00, on Contract No. WM96-048-C1A, with United Electric Company, Inc., for Improvements to the Electrical System at the Division of Watershed Management, Field Administration Complex, West Boylston.
Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $3,700.00.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, November 27, submitting for approval and execution Design Services Contract No. P82-1022-D2A, with Carr, Lynch & Sandell, Inc., for North Point Park, New Charles River Basin.
Compensation - $1,576,000.00.
Time for Performance - approximately fifty five months.
Account No. 2449-1002.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. P82-1022-D2A, dated December 5, 1996, with Carr, Lynch & Sandell, Inc., for North Point Park, New Charles River Basin, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, December 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 225.5 acres of land owned by U. S. Farms, Inc., located in the Towns of Princeton and Sterling, Massachusetts, and to approve an award of damages in the amount of $1,800,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 225.5 acres of land owned by U. S. Farms, Inc., located in the Towns of Princeton and Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 5, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Princeton and Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land containing 225.5 acres, more or less, located in the Towns of Princeton and Sterling, and comprising a portion of the same premises described in a deed from Jerald Greenberg to U.S. Farms, Inc., a Delaware Corporation, dated June 23, 1978, and recorded with the Worcester District Registry of Deeds in Book 6490, Page 373, but specifically excluding the following described parcels: that parcel situated on the northwesterly side of Gleason Road and shown as a lot containing 30.023 acres, more or less, on a plan of land entitled "Land in Princeton, Mass. & Sterling, Mass., surveyed for U.S. Farms, Inc.," dated May, 1978, prepared by James W. Chisholm, Surveyor, and recorded with said Deeds as Plan 64 in Plan Book 458 (hereinafter referred to as the "Chisholm Plan"); that parcel situated on the southwesterly side of Houghton Road and shown on said Chisholm Plan as a lot containing 20.210 acres, more or less; those parcels on the southeasterly side of Gleason

Road and shown as Lots 1, 2 and 2A on a plan of land entitled "Plan of Land in Princeton * Golden Meadow Farm Subdivision," dated as last revised January 30, 1989, prepared by Marcklinger Associates, and recorded with said Deeds as Plan 4 in Plan Book 616; those parcels shown as Lots 3, 4, 5, 6, 7A, 7B, and 7C, on the southeasterly side of Gleason Road, on a plan of land entitled "Approval Not Required in Princeton, Massachusetts," dated December 5, 1990, prepared by Rizzo Associates, and recorded with said Deeds as Plan 34 in Plan Book 645 (hereinafter referred to as the "Rizzo PLan"); and those parcels shown as Lots 31, 32, 33, 34, 35 and 36, on the northeasterly side of Houghton Road, on a plan of land entitled "Plan of Land in Princeton * Golden Meadow Farm Subdivision," dated July 17, 1987, prepared by Marcklinger Associates, and recorded with said Deeds as Sheet 3 of Plan 74 in Plan Book 603.

The premises duly acquired hereunder, specifically include lots 7D, 8A, and 8B as shown on the said Rizzo Plan.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Gleason and Houghton Roads which may be held by the owner, U.S. Farms, Inc., resulting from ownership of the above described Premises to be acquired.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

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The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
U.S. Farms, Inc.	$ 1,800,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,800,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matter:

1. Report of Messrs. Jewett and Broderick, December 5, requesting the assignment of the Permit between the MDC, Department of Environmental Management and Bay State Cruise Company, as approved by the Commission on November 21, 1996, for the Operation of Water Transportation Services to, from and through the Boston Harbor Islands State Park, to Harbor Cruises, LLC, due to the fact that Bay State Cruise Company is selling their financial interest in the vessels to Harbor Cruises, LLC.
A consent to assignment and release form is submitted for Commission execution.
Following a lengthy discussion concerning the Assignment of the Permit to Harbor Cruises, LLC, the Commission V O T E D: to approve the Assignment of the Permit between the Metropolitan District Commission, the Department of Environmental Management and Bay State Cruise Company, which was originally approved by the Commission at the Meeting of November 21, 1996, for the Operation of Water Transportation Services to, from and through Boston Harbor Islands State Park, to a new entity, Harbor Cruises, LLC.
The approval is subject to the following conditions:
1. Commissioner Balfour will withhold signing the Permit until such time as the document is signed by all other parties.
2. Mr. Jewett is satisfied that the net worth of Harbor Cruises, LLC indicates that they are capable of fulfilling all terms of the Permit.
3. That Harbor Cruises, LLC, has no pending liabilities that will hinder its performance of all terms of the Permit.

Associate Commissioner Wu did not vote on this matter, nor sign the Permit.

Adjourned at 9:50 a.m., to meet on Thursday, December 12, 1996, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Ninety Fourth (3794th) Meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 12, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on November 21, 1996 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P96-1864-C1A, dated December 12, 1996, with D & R General Contracting Company, Inc./MDR Construction Company, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and curbing at Various Locations throughout the Metropolitan District.

Action was taken upon the following matters relating to the Engineering an Construction Division:

2. Report of Mr. Faucher and Miss Peterson, December 3, recommending approval of an extension of time from November 22, 1996 to January 15, 1997, for administrative purposes only, under provisions of Article XXII, on Contract No. P82-1054-C1A, with the Middlesex Corporation/Middlesex Paving/ Middlesex Bituminous Products/Middlesex Inc./Middlesex Materials Corporation, for Repair of Charles Circle Bridges #57A and 57B, Boston.
(This extension of time will in no way effect the liquidated damages provisions of Article XXI that may be due the Commission. This extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time from November 22, 1996 to January 15, 1997, for administrative purposes only, under provisions of Article XXII, as recommended by Mr. Faucher and Miss Peterson in their report of December 3, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way effect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.

3. Report of Mr. Faucher and Ms. Pfetsch, December 4, recommending that the Commission approve a price adjustment of $5,150.00, to the base bid price, for electrical work on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation.
Account No. 2440-8952.
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Pfetsch in their report of December 4, 1996.

4. Report of Messrs. Faucher and DiPietro, November 26, submitting

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for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit consultant services for Contract No. P87-1449-M6A, for Analytical and Water Quality Testing at MDC Facilities, Fiscal Years 1998 and 1999.
Total Cost - $40,000.00 - FY98 and $40,000.00 - FY99.
Funding is contingent upon sufficient funds being made available through the annual budgetary appropriation process.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit consultant services for Contract No. P87-1449-M6A, for Analytical and Water Quality Testing at MDC Facilities, Fiscal Years 1998 and 1999.

1. Report of Messrs. Faucher, Brooks and Haider, December 2, on bids for Maintenance of HVAC Systems at Various MDC Facilities, Contract No. P97-1878-M1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of HVAC Engineering of $42,000.00).
The Commission V O T E D: to accept the lowest bid received, that of HVAC Engineering of $42,000.00.

2. Report of Messrs. Faucher and Mayhew, December 4, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P97-1883-C1A, for Demolition of the Peter J. Kelley Ice Skating Rink, Jamaica Plain.
Estimated Cost - $140,000.00.
Time for Performance - thirty days from Notice to Proceed.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1883-C1A, for Demolition of the Peter J. Kelley Ice Skating Rink, Jamaica Plain.

3. Report of Messrs. Faucher and Brooks, December 10, submitting for approval and award Contract No. P97-1882-X1A, for Emergency Contract to Furnish and Install a Color Guard Snow Retention System on Metal Roof at the Flynn Rink, Medford. A waiver of bidding and advertising provisions was granted by DCPO allowing the MDC to take this action.
(Messrs. Faucher and Brooks recommend acceptance of the proposal of John Associates, Inc., of $23,575.00, for the emergency project).
They further request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.
Time for Performance - not-to-exceed two months
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: to award Contract No. P97-1882-X1A, for Emergency Contract to Furnish and Install a Color Guard Snow Retention System on Metal Roof at the Flynn Rink, Medford, to John Associates, Inc., in the amount of $23,575.00, as recommended by Messrs. Faucher and Brooks in their report of December 10, 1996.

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The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, December 4, on proposals for the purchase of forest products located on the Quabbin, Ware River, and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid that of Walker Timber Co., of $9,279.95; to purchase approximately 76,405 board feet of sawlogs, 76 cords of firewood and 175 tons of pulp on Timber Lot No. 260 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $412.00; to purchase approximately 412 tons of whole tree wood on Timber Lot No. 261 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Walker Timber Co., of $13,631.95; to purchase approximately 115,745 board feet of sawlogs, 70 cords of firewood and 228 tons of pulp on Timber Lot No. 262 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $29,662.00; to purchase approximately 280,886 board feet of sawlogs, 20 cords of firewood and 921 tons of pulp on Timber Lot No. 699A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Joe Nikodem, of $884.45; to purchase approximately 49 cords of firewood on Timber Lot No. 760 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Liberty Blues Landscaping, of $977.50; to purchase approximately 115 cords of firewood on Timber Lot No. 761 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Steve Kavanagh, of $1,118.90; to purchase approximately 63 cords of firewood on Timber Lot No. 762 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of K & C, of $1,458.00; to purchase approximately 96 cords of firewood on Timber Lot No. 763 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Nelson Malin, of $780.00; to purchase approximately 12,696 board feet of sawlogs, 103 cords of firewood and 7 cords of tops on Timber Lot No. 764 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Chet Lubelczyk, of $1,400.00; to purchase approximately 13,012 board feet of sawlogs and 141 cords of firewood on Timber Lot No. 765 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprise, of $10,551.00; to purchase approximately 95,546 board feet of sawlogs and 30 cords of

firewood on Timber Lot No. 766 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of J. F. Stuart, of $1,706.00; to purchase approximately 9,400 board feet of sawlogs and 161 cords of firewood on Timber Lot No. 767 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Lawrence Brouillet, of $1,155.00; to purchase approximately 35 cords of firewood on Timber Lot No. 768 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $10,607.00; to purchase approximately 93,980 board feet of sawlogs, 311 cords of firewood, 60 cords in tops and 15 tons of pulp on Timber Lot No. 769 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $14,278.00; to purchase approximately 134,181 board feet of sawlogs, 13 cords of firewood and 186 tons of pulp on Timber Lot No. 770 - Quabbin Reservoir Watershed.

1. Report of Mr. McGinn, December 6, requesting that the Commission ratify the action of Commissioner Balfour in executing a Settlement Agreement between the MDC, the Town of Clinton and the Massachusetts Water Resources Authority (MWRA), in the matter of Clinton v. MWRA v. MDC.
The Commission V O T E D: to ratify the action of Commissioner Balfour in executing a Settlement Agreement between the MDC, the Town of Clinton and the Massachusetts Water Resources Authority (MWRA), in the matter of Clinton v. MWRA v. MDC.

2. Report of Messrs. McGinn and Robert O'Connor, December 6, requesting approval and execution of Amendment for of an extension of time from December 31, 1996 to June 30, 1997, on Contract No. WM97-076-S3A, with Daylor Consulting Group, Inc., for Land Analyses and Planning Services.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 12, 1996, which was signed by the Commissioner and three Associate Commissioners.

3. Report of Mr. McGinn, December 2, submitting for approval and execution - Quabbin Park Cemetery Deed No. Q-1718, conveying Lot No. A-62 to Daniel F. and Kimberly A. Makowski.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1718, dated December 12, 1996, which was signed by the Commissioner and two Associate Commissioners.

4. Report of Messrs. McGinn and Kane, December 5, recommending approval of the request of the Contractor for an extension of time from December 31, 1996 to June 30, 1997, on Contract No. WM96-004-C2A, with RDA Construction Corp., for Expedient Remedial Repairs and Reconstruction, Training Wall, Stearns Dam, Framingham, to assure an acceptable growth of grass.

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(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from December 31, 1996 to June 30, 1997, as recommended by Messrs. McGinn and Kane in their report of December 5, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. McGinn and Baratta, December 3, recommending that the Commission Amend its vote of August 22, 1996, authorizing the Contract Administrator to proceed immediately to negotiate Project No. WM97-016-D1A, for Master Sewer System Design - Phase II, with Weston and Sampson Engineers, if Administration and Finance grants a procurement waiver.
The Amendment will authorize the Contract Administrator to advertise for RFRs to provide for design services for Master Sewer System Design - Phase II, as expediently as possible in conformance to the approved scope of service provided in the amount not-to-exceed $2,600,000.00, if the procurement waiver is not forthcoming.
Account No. 2420-7961.
Time for Performance - twenty four months.
The Commission V O T E D: to amend its vote of August 22, 1996, by authorizing the Contract Administrator to advertise for RFRs to provide for design services for Master Sewer System Design - Phase II, as expediently as possible in conformance to the approved scope of service provided in the amount not-to-exceed $2,600,000.00, if the procurement waiver is not forthcoming.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, December 9, recommending that the Commission authorize the acquisition by deed of gift of approximately 6.8 acres of land owned by Arthur P. Charbonneau, Trustee of Snow Pond Realty Trust, located in the Town of Princeton, Massachusetts, for watershed protection purposes.
The Commission V O T E D: to authorize the acquisition by deed of gift of approximately 6.8 acres of land owned by Arthur P. Charbonneau, Trustee of Snow Pond Realty Trust, located in the Town of Princeton, Massachusetts, for watershed protection purposes.

3. Report of Mr. Gray, December 9, recommending that the Commission authorize the acquisition by deed of gift of approximately 10 acres of land owned by Vincent A. LoPresti and Sidney L. Boorstein, and/or the City of Revere, located in the City of Revere, Massachusetts, for parks purposes.
The Commission V O T E D: to authorize the acquisition by deed of gift of approximately 10 acres of land owned by Vincent A. LoPresti and Sidney L. Boorstein, and/or the City of Revere, located in the City of Revere, Massachusetts, for parks purposes.

Action was taken upon the following Various Matters:

1. Report of Miss Overton, December 10, requesting approval and execution of Amendment for an extension of time for a period ending June 30, 1997, on Contract with John A. Clarkson, for Program Coordination Services for the Neponset River Watershed Project.
Cost - $22,033.50-plus $1,500.00 for travel expenses.
Account No. 2441-9886.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 12, 1996, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. French, December 11, on behalf of a Consultant Selection Committee, requesting that the Commission approve a service contract with Vitale Caturano & Co., for a Fiscal Analysis Study and Report for Proposed Recreational Prototype Facilities that the Commission may authorize at a future date.
Compensation - not-to-exceed $35,000.00.
Time for Performance - six months with one option to renew for an additional six months.
Mr. French further requests that Commissioner Balfour be authorized to execute the service contract on behalf of the Commission.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Service Contract on behalf of the Commission.

Action was taken upon the following matter relating to the Recreational and Facilities Program Division:

3. Report of Mr. Doak, December 10, recommending renewal of the concession at Daly Rink, Brighton with North End Youth Hockey for the 1996-1997 ice skating season. Permit Fee - $1.00 plus $100.00 per month for utilities.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of December 10, 1996.

Adjourned at 10:00 a.m., to meet on Thursday, December 19, 1996, at 9:00 a.m.

William J. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Ninety Fifth (3795th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 19, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 5, 1996 were read and approved.

Action was taken upon the following matters relating to the Engineering an Construction Division:

1. Report of Messrs. Faucher and Lenhardt, December 10, recommending the following on Contract No. P84-1276-D3A, with S. T. V. Incorporated, for Professional Engineering Services for Bridges, Parkways and Other Facilities -
(a) That work be accepted as completed as of August 31, 1996.
(b) That reserve, in the amount of $16,634.93, be approved for payment.
(Basis of Award - $250,000.00)
(Amount to Date - $340,969.52)
(Contract Performance Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of S. T. V. Incorporated, Consultant under Contract No. P84-1276-D3A, be and hereby is accepted as completed as of August 31, 1996.
The Commission further V O T E D: to approve release of reserve, in the amount of $16,634.93, for payment.

2. Report of Messrs. Faucher and Higgott, December 3, requesting approval of the request of the contractor for an extension of time from December 20, 1996 to January 31, 1997, on Contract No. P94-1753-C1A, with T. Ford Company, Inc., for Nahant Comfort Station Sewage Modification - Nahant Causeway, due to the 4 to 6 weeks delivery date for the Environment One Grinder Pump Station. (At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from December 20, 1996 to January 31, 1997, as requested by Messrs. Faucher and Higgott in their report of December 3, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Abounaja, December 5, on the request of the consultant for an extension of time from December 31, 1996 to December 31, 1998, on Contract No. P82-1120-D1A, with Sasaki Associates, Inc., for Drainage and Irrigation System Rehabilitation for Ponkapoag Golf Course, due the fact that MEPA requested the MDC submit a detailed Draft Environmental Impact Report.
At no additional Contact cost.
(Messrs. Faucher and Abounaja further request execution of the Amendment).

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The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 19, 1996, to Contract No. P82-1120-D1A, with Sasaki Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not vote on the matter nor sign the Amendment.

1. Report of Miss Overton and Messrs. Faucher and Orfant, December 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for design and engineering services, Contract No. P97-1881-D1A, for Islands Pier Repair Project.
Cost - not-to-exceed $50,000.00.
Estimated Time for Performance - twelve months.
Account No. 2440-8889.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for design and engineering services, Contract No. P97-1881-D1A, for Islands Pier Repair Project.

2. Report of Messrs. Faucher and Jackson, December 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit proposals for Project No. P97-1871-C1A, for Artesani Playground Comfort Station, Brighton.
Cost - $190,000.00.
Time for Performance - nine months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P97-1871-C1A, for Artesani Playground Comfort Station, Brighton.

3. Report of Messrs. Faucher and Jackson, December 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit proposals for Project No. P97-1870-C2A, for Playground Reconstruction Pearce Lake, Breakheart Reservation and Houghton's Pond - North Entrance, Milton.
Cost - $310,000.00.
Time for Performance - ten months.
Account No. 2440-8952.
Following a lengthy discussion, the Commission voted to Hold Over the matter for further analysis by staff.

4. Report of Messrs. Faucher and Jackson, December 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit proposals for Project No. P97-1870-C1A, for Reconstruction of Richard T. Artesani Playground, Brighton and Cpl. John J. Murphy Playground, Somerville.
Cost - $750,000.00.
Time for Performance - fifteen months.
Account No. 2440-8952.
Following a lengthy discussion, the Commission voted to Hold Over the matter for further analysis by staff.

1. Report of Messrs. Faucher and Mayhew, December 13, recommending approval of the request of the contractor for an extension of time from October 30, 1996 to December 30, 1996, on Contract No. P96-1855-C1A, with Allied Weatherproofing Co., Inc., for Installation of New Roofing at the William P. Connery Rink, Lynn. (At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from October 30, 1996 to December 30, 1996, as recommended by Messrs. Faucher and Mayhew in their report of December 13, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Mayhew, December 3, recommending approval of the action of Acting Director Faucher, resulting in Extra Work Order No. 1 - for Furnishing and Installing Aluminum Coverings, Angles and One Coat of Solid Stain - at a cost of $23,437.86 - on Contract No. P96-1855-C1A, with Allied Weatherproofing Co., Inc., for Installation of New Roofing, William P. Connery Rink, Lynn.
Account No. 2440-0110.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $23,437.86.

3. Report of Messrs. Faucher and Machado, December 13, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for Steel Plates Over Expansion Joint, Boston University Bridge - at a cost of $52,002.50, on Contract No. P96-1863-C1A, with D & R General Contracting, Inc., for Resurfacing MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 007-010, Bituminous Concrete).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $52,002.50.

4. Report of Messrs. Faucher and Machado, December 12, recommending approval of revisions in quantities on Contract No. P95-1789-C1A, with South Shore Fencing Company, Incorporated, for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan Park System, as follows -

Item No. 057-010 -	**$34,580.00**
Vinyl Clad C.L.F. - 5 Ft. High	
Item No. 058-010 -	**$ 7,905.00**
Galvanized C.L.F. - 6 Ft. High	
Item No. 061-010 -	**$26,020.00**
Vinyl Clad C.L.F. - 8 Ft. High	
Item No. 063-010 -	**$ 7,665.00**
Vinyl Clad C.L.F. - 10 Ft. High	
Total -	**$76,170.00**

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(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 035-010 - Furnish and Install New SS Guard Rail and Posts and 086-010, Furnish and Install Solid Wood/Steel Posts Barrier Fence, 16 Feet High).
The Commission V O T E D: Approved.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Higgott, December 13, requesting approval of an Amendment for design services for an additional 500' of damaged seawall, at a cost of $16,446.00, on Contract No. P94-1712-D1A, with Metcalf & Eddy, for George's Island Seawall Restoration.
Account No. 2440-8889.
The Commission V O T E D: Approved.
Associate Commissioner Wu did not participate in discussion nor vote on this matter."

2. Report of Messrs. Faucher and Woodyatt, November 15, recommending the following on Contract No. P96-1832-C1A, with J. J. Phelan & Sons, Inc., for Park Construction at Kent's Carpetland Parcel -
(a) That work be accepted as completed as of October 30, 1996.
(b) That Estimate No. 2 (Final), in the amount of $10,528.37, be approved for payment.
(c) That reserve, in the amount of $2,952.38, be approved for payment.

(Basis of Award - $54,373.00)
(Amount to Date - $59,047.50)
(Contract Performance Rating - 4.50)
(EEO Compliance - 4.16)

The Commission V O T E D: that the work of J. J. Phelan & Sons, Inc., Contractor under Contract No. P96-1832-C1A, be and hereby is accepted as completed as of October 30, 1996.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $10,528.37, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,952.38, be approved for payment.

3. Report of Miss Overton and Messrs. Faucher and Orfant, December 16, requesting approval of an extension of time from November 26, 1996 to July 1, 1997, for administrative purposes only, under provisions of Article XXII, on Contract No. P96-1839-C1A, with Bull Contracting, Inc., for George's Island Picnic Pavilion.
(This extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission. This extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article XXII, from November 26, 1996 to July 1, 1997, as requested by Miss Overton and Messrs. Faucher and Orfant in their report of December 16, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way affect the liquidated

damages in Article XXI, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

1. Report of Messrs. Faucher, Brooks and Haider, December 16, requesting that the Commission approve Project No. P97-1880-X1A, ratify the action taken by Acting Director Faucher relative to the Contract and award the Contract, for Emergency Replacement of the Boiler System at Amelia Earhart Dam, Pump Station, Everett. (Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of Carriere, Inc., of $28,580.00). (Messrs. Faucher, Brooks and Haider further request that Commissioner Balfour be authorized to sign the emergency contract on behalf of the Commission).
The Commission V O T E D: approve Project No. P97-1880-X1A, for Emergency Replacement of the Boiler System at Amelia Earhart Dam, Pump Station, Everett and ratify the action taken by Acting Director Faucher relative to the Contract.
The Commission further V O T E D: to accept the lowest bid received, that of Carriere, Inc., of $28,580.00. The acceptance is subject to the Executive Office of Environmental Affairs authorizing the expenditure of the funds for the project.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the emergency contract on behalf of the Commission once the authorization is received from the Executive Office of Environmental Affairs to expend the funds.

2. Report of Messrs. Faucher, Brooks and Haider, December 17, requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, Contract No. P97-1878-M1A, with HVAC Engineering, for Maintenance of HVAC Systems at Various MDC Facilities.
(The contract was awarded to the low bidder, HVAC at the Commission meeting of December 12, 1996).
The Commission V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Contract No. P97-1878-M1A, with HVAC Engineering, for Maintenance of HVAC Systems at Various MDC Facilities, as requested by Messrs. Faucher, Brooks and Haider in their report of December 17, 1996.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, December 11, on bids for Demolition/Removal and Disposal of Three Sheds at the MDC Marlboro Filter Beds, Contract No. WM97-012-X1A.
(Messrs. McGinn and Kane recommend acceptance of the low bid of Northeastern Construction Co., Inc., of $3,940.00).
Messrs. McGinn and Kane request that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Northeastern Construction Co., Inc., of $3,940.00.
The Commission further V O T E D: to authorize Commissioner Balfour to sign on behalf of the Commission.

1. Report of Mr. McGinn, December 13, requesting approval of a Memorandum of Understanding (MOU) between the MDC Division of Watershed Management and the Department of Food and Agriculture (DFA), for Identification of Water Features Within The Quabbin, Ware and Wachusett Watersheds, which are Subject to Protection Under DFA Regulations and authorization for Mr. McGinn to execute the MOU on behalf of the Commission.
The Commission V O T E D: to approve a Memorandum of Understanding (MOU) between the MDC Division of Watershed Management and the Department of Food and Agriculture (DFA), for Identification of Water Features Within The Quabbin, Ware and Wachusett Watersheds, which are Subject to Protection Under DFA Regulations.
The Commission further V O T E D: authorization for Mr. McGinn to execute the MOU on behalf of the Commission.

2. Report of Messrs. McGinn and Baratta, December 16, requesting approval of Master Grant Agreements for Reimbursement for Police Services for Sewer Construction Projects in Holden and West Boylston, as follows:
(1) Authorization for Development of a Master Grant Agreement for Police Services with the Town of Holden, total cost not-to-exceed $250,000.00.
(2) Authorization for Development of a Master Grant Agreement for Police Services with the Town of West Boylston, Total cost not-to-exceed $250,000.00.
Account No. 2420-7961.
Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Master Grant Agreements on behalf of the Commission.
The Commission V O T E D: authorization for Development of a Master Grant Agreement for Police Services with the Town of Holden, total cost not-to-exceed $250,000.00.
The Commission further V O T E D: authorization for Development of a Master Grant Agreement for Police Services with the Town of West Boylston, Total cost not-to-exceed $250,000.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Master Grant Agreements on behalf of the Commission.

3. Report of Messrs. McGinn and Kane, December 9, requesting approval of Extra Work Order No. 2 - for remedial electrical work to correct hazardous conditions - at a cost of $2,790.97, on Contract No. WM96-048-C1A, with United Electric Company, Inc., for Improvements to the Electrical System at the Division of Watershed Management, Field Administration Complex, West Boylston.
Account No. 2420-1400.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $2,790.97.

4. Report of Messrs. McGinn and Robert O'Connor, December 18, requesting approval and execution of an Amendment to the scope and federal funding for Contract No. WM96-036-S1A, with the United States Geological Survey (U.S.G.S.), Water Resources

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Division.
The following items will be added to the contract -
#7 - The U.S.G.S. will include the new wetland coverage generated by the DEP Orthohotography into the ongoing analysis and into the final report for the project.
#8 - The U.S.G.S. will install a continuous-record gauging station on the Quinapoxet River at Canada Mills in Holden. The gauging station will include equipment for continuous monitoring of stage, pH, conductance, and temperature.
Cost share paid by U.S.G.S. will increase from $17,362.50 to $39,973.00.
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Robert O'Connor in their report of December 18, 1996.
The Secretary then submitted for signature Amendment, dated December 19, 1996, to Contract No. WM96-036-S1A, with the United States Geological Survey (U.S.G.S.), Water Resources Division, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. O'Brien and Mr. Driscoll, December 12, requesting that the Commission grant permission to the Boulder Company to develop a portion of the MDC's scenic easement adjacent to Cronin's Landing in Waltham and approve acceptance of a proposed conservation restriction along the same section of the Charles River.
The Commission V O T E D: permission to the Boulder Company to develop a portion of the MDC's scenic easement adjacent to Cronin's Landing in Waltham.
The Commission further V O T E D: to approve acceptance of a proposed conservation restriction along the same section of the Charles River.
The Commission further V O T E D: to authorize Commissioner Balfour to sign the documents on behalf of the Commission.

2. Report of Mrs. O'Brien and Mr. Driscoll, November 26, requesting approval and execution of an Amendment to Contract No. PL-93-026-D1A, with Berkshire Design Group, for Blair Pond Master Plan, which calls for an extension of time from December 23, 1996 to November 30, 1997.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 19, 1996, to Contract No. PL-93-026-D1A, with Berkshire Design Group, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Mrs. O'Brien and Mr. Driscoll, December 6, requesting approval of Amendment No. 5, for an increase in compensation of $40,105.00, for additional services on Contract No. PL92-017-S1A, with Carol R. Johnson and Associates, for Upper Charles River Reservation Restoration - Master Plan and Design Services.
The Commission is further requested to authorize Commissioner Balfour to execute the Amendment on its behalf.

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Account No. 2410-7872.
Mrs. O'Brien and Mr. Driscoll further request that the Commission approve the release of $5,800.00, to Carol R. Johnson and Associates, which was withheld from an Amendment item, at the Commission Meeting of June 15, 1995, on Contract-Agreement No. PL92-017-S1A, for Upper Charles River Reservation - Master Plan and Design Services.
The Commission V O T E D: to approve Amendment No. 5, for an increase in compensation of $40,105.00, for additional services on Contract No. PL92-017-S1A, with Carol R. Johnson and Associates, for Upper Charles River Reservation Restoration - Master Plan and Design Services, subject to the Executive Office of Environmental Affairs authorizing the expenditure of additional funds for the project.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment on its behalf, if approval of the expenditure of the funds is approved by the Executive Office of Environmental Affairs.
The Commission further V O T E D: to approve the release of $5,800.00, to Carol R. Johnson and Associates, which was withheld from an Amendment item, at the Commission Meeting of June 15, 1995, on Contract-Agreement No. PL92-017-S1A, for Upper Charles River Reservation - Master Plan and Design Services, as requested by Mrs. O'Brien and Mr. Driscoll in their report of December 6, 1996, subject to approval of the Executive Office of Environmental Affairs to expend the funds.

1. Report of Mrs. O'Brien, December 16, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise for consultant services for Project No. PL97-045-D1A, for Design of Nashua Street Park Development, Boston - New Charles River Basin.
Estimated Cost - $943,000.00.
Design Services - through the year 2001.
Account No. 2449-0002 of the Central Artery/Tunnel Mitigation Agreement.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for consultant services for Project No. PL97-045-D1A, for Design of Nashua Street Park Development, Boston - New Charles River Basin.

Action was taken upon the following Various Matters:

2. Report of Mr. Griffin, December 16, recommending that the Commission rescind the award of a Contract to E.A.C. Operations for trash disposal - direct dumping of trash, at their Braintree facility, as approved at the Commission Meeting of June 13, 1996, and award the Contract to Trans-River Marketing Company -
for FY 1997 -
250 Ton/Year, $13,500.00
for FY 1998 -
250 Ton/Year, $14,500.00
All terms and conditions of the original Contract will remain in force.

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Account No. 2440-0010.
(In the period between Commission approval and signing of the Contract with E.A.C. Operations, that company was sold to Trans-River Marketing Company).
The Commission V O T E D: to rescind the award of a Contract to E.A.C. Operations for trash disposal - direct dumping of trash, at their Braintree facility, as approved at the Commission Meeting of June 13, 1996, and award the Contract to Trans-River Marketing Company, all terms and conditions of the original Contract will remain in force.

1. Report of Miss Overton, December 16, requesting approval to advertise for lead removal, asbestos abatement, and demolition of two abandoned buildings, known as the Volkswagen Building and Quonset Hut at Abigail Adams Park, Weymouth.
Cost not-to-exceed - $650,000.00.
Time for Performance - six months
Account No. 2445-3911.
The Commission V O T E D: approval to advertise for lead removal, asbestos abatement, and demolition of two abandoned buildings, known as the Volkswagen Building and Quonset Hut at Abigail Adams Park, Weymouth.

Adjourned at 10:20 a.m., to meet on Thursday, January 9, 1996, at 9:00 a.m.

William F. Brochu
Secretary

Record of the Three Thousand Seven Hundred and Ninety Sixth (3796th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 9, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 12, 1996 were read and approved.

Action was taken upon the following matters relating to the Engineering an Construction Division:

1. Report of Messrs. Faucher and Jackson, December 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit proposals for Project No. P97-1870-C2A, for Playground Reconstruction Pearce Lake, Breakheart Reservation and Houghton's Pond - North Entrance, Milton.
Cost - $310,000.00.
Time for Performance - ten months.
Account No. 2440-8952.
The Commission V O T E D: Delete from agenda.

2. Report of Messrs. Faucher and Jackson, December 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to solicit proposals for Project No. P97-1870-C1A, for Reconstruction of Richard T. Artesani Playground, Brighton and Cpl. John J. Murphy Playground, Somerville.
Cost - $750,000.00.
Time for Performance - fifteen months.
Account No. 2440-8952.
The Commission V O T E D: Delete from agenda.

3. Report of Messrs. Faucher, Brooks and Mayhew, December 30, 1996, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to solicit proposals for Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.
Estimated Cost $330,000.00.
Time for Completion - 4 months after Notice to Proceed.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Contract No. P97-1874-C1A, for Improvements to the William A. Connell Rink and Pool, Weymouth.

4. Report of Messrs. Faucher and Jackson, December 31, 1996, on bids for Reconstruction of John H. Dooley Playground, Hyde Park, Contract No. P97-1875-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the low bid of Ledgewood Construction Co., Inc., of $109,155.00).
Messrs. Faucher and Jackson request that the Commission execute the Contract.

The Commission V O T E D: to accept the lowest bid received, that of Ledgewood Construction Co., Inc., of $109,155.00.
The Secretary then submitted for signature Contract No. P97-1875-C1A, dated January 9, 1997, with Ledgewood Construction Co., Inc., which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not vote on this matter nor sign the contract.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, December 23, 1996, on proposals for the purchase of roadside sawlogs located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber of $9,320.00; to purchase approximately 200 cords of firewood on Roadside Sale No. 54 - Quabbin Reservoir Watershed.

2. Report of Messrs. McGinn and Kane, January 2, recommending approval and award of Project No. WM97-075-X1A, for Emergency Demolition, Removal and Disposal of Burned Structure, Crowley Road, Sterling.
(Messrs. McGinn and Kane recommend acceptance of the low bid of Northeastern Construction Company, Inc., of $5,900.00).
Time for Performance - thirty days from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: to accept the lowest bid received, that of Northeastern Construction Company, Inc., of $5,900.00.

Action was taken upon the following Various Matters:

3. Report of Miss Overton, January 6, requesting approval of the request of the Attorney Generals' Office for an extension of time from January 4, 1997 through March 4, 1997, on Tolling Agreement concerning Indian Line Farm Superfund Site in Canton. Miss Overton further requests that the Commission execute the documents.
(The extension will allow for a forty-five day public comment period and preparation of revised documents if applicable).
The Commission V O T E D: Approved.
The Secretary then submitted for signature the document, dated January 9, 1997, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not vote on the matter, nor sign the document.

4. Report of Miss Overton, January 6, requesting approval and execution of a Settlement Agreement with the U.S. Environmental Protection Agency (EPA) regarding the Past Response Costs, in the sum of $672.083.00, and interest incurred by EPA in connection with the Indian Line Farm Superfund Site.
Funding from Account No. 1559-3384.
The Commission V O T E D: Approved.

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The Secretary then submitted for signature Settlement Agreement, dated January 9, 1997, with the U.S. Environmental Protection Agency, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not vote on the matter, nor sign the Settlement Agreement.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, January 6, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.787 acres of land owned by various land owners located in the Town of West Boylston and Holden, Massachusetts, S1A, for sewer and sewage pumping purposes, and to approve an award of damages in the amount of $101,800.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A; and recommending further, that the Commission authorize in said Order of Taking the acquisition of any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of West Boylston and Holden required to complete said Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon the completion of said construction; and recommending further, that the Commission authorize the transfer of any and all rights and interests in real property acquired for said Project and in the sewer and sewage pumping system constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under Sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.
Account No. 2420-8936.
The Commission V O T E D: To adopt an Order of Taking for the acquisition of approximately 3.787 acres of land owned by various landowners located in the Towns of West Boylston and Holden, Massachusetts, relating to the MDC Waste Water Project No. WM93-001-S1A, for sewer and sewage pumping purposes, and to approve awards of damages in the total amount of $101,800.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: To acquire any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of West Boylston and Holden required to complete said Project, at no compensation, in anticipation of transferring the aforesaid rights and easements upon completion of said construction; The Commission further V O T E D: To transfer any and all rights and interests in real property acquired for said Project and in the sewer and sewage pumping system constructed under said Project, upon the completion of the construction, to the appropriate parties as designated and otherwise authorized under sections 2 and 63 of Chapter 15 of the Acts of 1996, as determined by the Division of Watershed Management, and for all purposes consistent with said Act.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 9, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Sections 2 and 63 of Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee and permanent easements for watershed preservation, protection and operation purposes, and for sewer and sewage pumping purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of West Boylston and Holden in the County of Worcester and Commonwealth of Massachusetts, on behalf of said Towns of West Boylston and Holden, namely:

Twenty-four (24) permanent easement interests in, on, under, to and through twenty-four (24) parcels of land, and one (1) fee interest in one (1) parcel of land, all as situated in said Towns and shown on a plan of land entitled "Easement Plan of Land in West Boylston and Holden, MA prepared for Weston and Sampson Engineers, Inc. Peabody, MA on behalf of the Metropolitan District Commission Division of Watershed Management," dated June 28, 1996, revised January 9, 1997, and prepared by William J. Ferro, R.P.L.S., which plan is on file with said Commission and which plan shall be recorded either simultaneously with this order of taking or at a later date with the Worcester District Registry of Deeds and incorporated herein and made a part of this order.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, as shown on said plan, in the following sums:

Supposed Owners	Town	Acreage	Parcel No.	Award
Sonberg Realty Trust Pearson, Eric B Trustee	WB	.339	C-11-1	$22,800
Keith, Robert H & Ruth E	WB	.118	C-11-2	$2,600
Marsolais, Phyllis A & Heirs of Walter J	WB	.351	C-12-1&3	$3,500
Delong, Philip H & Lorraine P	WB	.109	C-12-2	$1,100
Barrus, Ronald L & Elaine D	H	.326	C-14-1&2	$8,100
Spofford, Jean M, et al [Jean M Spofford (30%), Gordon W Lowell (25%), Dorothy Schedin (25%), Nancy J Gray (5%), Susan L. Harris (5%), Linda M Annunziato (5%), & James W Spofford (5%)]	H	.414	C-14-3	$9,000
Hubbard, David L & Mary P	WB	.033	C-17-1	$700
Voss, Jeffrey W	WB	.138	C-17-2	$3,000
Pingeton, Augustus L & Kathleen G	WB	.028	C-17-3	$600
Larson, Evans and Fletcher, Lorraine M W, Heirs of Emma Larson	WB	.435	C-17-4	$9,500
Schaffert, Fred B S & Kathleen A	H	.089	C-18-1	$2,000
Goloskie, Raymond & Lola F	H	.013	C-18-2	$300

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Supposed Owners (cont'd)	Town	Acreage	Parcel No.	Award
Gustafson, Ronald F	WB	.308	C-34-1	$6,700
Spring, Robert H & Gerald R	WB	.064	C-34-2	$1,400
Heintzelman, Peter M & Lynn M	WB	.175	C-51-1	$3,800
Leblanc, Joseph R & Christine M	WB	.105	C-51-2	$2,300
Richard, R Wayne	WB	.139	C-51-3	$3,000
Calaireo, Christine	WB	.051	C-51-4	$1,100
Naroian, Elizabeth B	WB	.064	C-51-5	$1,400
Lacki, Stanley G & Julia E	WB	.075	C-51-6	$1,600
Osterberg, Bertil H & Dorothy L	WB	.256	C-51-7	$5,600
Morse, Tammy M	WB	.138	C-51-8	$3,000
St Cyr, Peter A [FEE]	WB	.019	C-61-1	$8,700

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and comprising approximately 3.787 acres. Also meaning and intending to take hereby any and all temporary rights-of-way in and to the roads and ways under the control of the Towns of West Boylston and Holden, Massachusetts, at no compensation, required to complete the construction of MDC Waste Water Project No. WM93-001-S1A for sewer and sewage pumping purposes.

The Commission hereby expressly authorizes its Watershed Management Division to enter into any and all necessary memoranda of agreement and other agreements, permits and licenses on behalf of said Commission with other state or public agencies which may have control over highways, roads or ways, to ensure the proper access for, and the unimpeded construction of, said Project.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby transfer any and all rights and interests in real property acquired for said project and in and to the sewer and sewer pumping system constructed under said Project, upon the completion of said construction, to the appropriate parties as designated and otherwise authorized by said acts and provisions, as determined by its Division of Watershed Management, for all purposes consistent with said acts and provisions.

Adjourned at 9:50 a.m., to meet on Thursday, January 16, 1997, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Ninety Seventh (3797th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 16, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 19, 1996 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P94-1749-C1A, dated January 16, 1997, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation.

Action was taken upon the following matters relating to the Engineering an Construction Division:

2. Report of Messrs. Faucher, Martinez and Brooks, January 9, recommending approval of the request of the Contractor for an extension of time from December 20, 1996 to January 31, 1997, on Contract No. P97-1872-C1A, with Diversified Contracting, Inc., for Snow Guard Installation and Related Work at the LoConte Memorial Rink, Medford, due to bad weather and back-ordered materials.
(At no increase in contract cost).
The Commission V O T E D: to approve the extension of time from December 20, 1996 to January 31, 1997, as recommended by Messrs. Faucher, Martinez and Brooks, in their report of January 9, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Jackson, December 17, recommending approval of the request of A. W. Paine Construction Corp., Contractor on Contract No. P95-1784-C1A, for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston, to engage the services of the following sub-contractors -
R. F. Roach Co., Inc. **$8,500.00**
Excavating and Grading
Harrington Bomanite Corp. **$6,633.00**
Decorative Concrete Work
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Jackson, January 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C3A, for Reconstruction of Richard T. Artesani Playground, Brighton.
Estimated Cost - $570,000.00.
Time for Performance - fifteen months.
Account No. 2440-8952.

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The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C3A, for Reconstruction of Richard T. Artesani Playground, Brighton.

1. Report of Messrs. Faucher and Jackson, January 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C4A, for Reconstruction of Murphy Playground, Foss Park, Somerville.
Estimated Cost - $200,000.00.
Time for Performance - estimated at six months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C4A, for Reconstruction of Murphy Playground, Foss Park, Somerville.

2. Report of Messrs. Faucher and Jackson, January 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C5A, for Playground Construction, Pearce Lake, Saugus.
Estimated Cost - $100,000.00.
Time for Performance - estimated at six months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C5A, for Playground Construction, Pearce Lake, Saugus.

3. Report of Messrs. Faucher and Jackson, January 9, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C6A, for Reconstruction of Houghton's Pond Playground, North Entrance, Milton.
Estimated Cost - $190,000.00.
Time for Performance - estimated at six months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise, subject to availability of funds and spending approval by the Secretary of EOEA, Project No. P97-1870-C6A, for Reconstruction of Houghton's Pond Playground, North Entrance, Milton.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Mr. McGinn, January 2, requesting approval and

execution of an Amendment to Project No. WM95-086-S1A, with Burns & Levinson LLP, for Sewer Agreement Negotiation among the Towns using the MDC trunk sewer system, the City of Worcester and Upper Blackstone Water Pollution Abatement District, which extends time of completion from January 31, 1997 to June 30, 1997, and adds proposed Task 7 to the scope, which increases the cost of the contract from $49,660.00 to $56,940.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated January 16, 1997, to Project No. WM95-086-S1A, with Burns & Levinson LLP, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mr. McGinn, December 31, 1996, requesting approval and execution of an Amendment to Contract No. WM95-059-S1A, with Brackett and Lucas, for Model On-site Management District, which extends the time for performance from January 31, 1997 to June 30, 1997, due to delays in starting the project.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated January 16, 1997, to Contract No. WM95-059-S1A, with Brackett and Lucas, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. McGinn and Kane, January 3, requesting approval of Amendment No. 1, to Contract No. WM94-003-D1A, with Lichtenstein and Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston, which increase the upset limit of the Contract from $50,000.00 to $55,000.00, for additional loading analysis and extends time from March 31, 1997 to September 30, 1998.
Account No. 2420-7881.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Driscoll, January 10, requesting authorization for Commissioner Balfour and Director of Finance, Brian Kelter, (as Trustee), to resolve encroachments and sign Memorandum of Agreements, for settling encroachment matters on MDC property along the Upper Charles River Reservation.
(All funds collected will be placed in the newly established Metropolitan District Commission Encroachment Trust).
The Commission V O T E D: authorization for Commissioner Balfour and Director of Finance, Brian Kelter, (as Trustee), to resolve encroachments and sign Memorandum of Agreements, for settling encroachment matters on MDC property along the Upper Charles River Reservation, as requested by Mrs. O'Brien and Mr. Driscoll in their report of January 10, 1997.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, January 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.48 acres of land owned by Lencorp, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, provided $31,000.00 is withheld from that amount until environmental remediation is completed at the site in accordance with regulations promulgated by the state Department of Environmental Protection, and to approve an award of damages and costs in the amount of $58,000.00, as required under General Laws Chapter 79A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.48 acres of land owned by Lencorp, Inc., located in the Town of West Boylston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, provided $31,000.00 is withheld from that amount until environmental remediation is completed at the site in accordance with regulations promulgated by the state Department of Environmental Protection, and to approve an award of damages and costs in the amount of $58,000.00, as required under General Laws Chapter 79A.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 16, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Routes 12 & 110 (Sterling Street & Lancaster Street), near their intersection with Holt Street, more particularly bounded and described as follows:

Beginning at a Massachusetts Highway bound found in the northerly line of the combined highways, at a point N. 68° 49′ 50" E., 219.95 feet from another M.H.bound found at the southwesterly corner of the intersection of Holt Street and Routes 12 & 110;

Thence S. 68° 49′ 50" W., 30.15 feet, by the northerly line of the combined highways, to a point at land, formerly of Ralph W. Crossman et ux, now or formerly, of E. Leo & Mary A. Attella;

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Thence N. 00° 22′ 50" E., 189.66 feet, by the westerly line of land, now or formerly, of Attella, to a point, at or near an iron pin, at land, now or formerly of Edwin Heinold, shown as "Parcel B" upon the engineered recorded survey plan cited below, at the conclusion of this description;

Thence N. 71° 52′ 50" E., 86.57 feet, by the southeasterly line of "Parcel B", to a point at other land, now or formerly, of Lencorp, Inc., reserved to said corporation and excluded from this taking, shown as "Parcel D" upon the plan cited below;

Thence S. 33° 55′ 28" E., 83.69 feet, by "Parcel D", to a point in the westerly line of land, formerly of Dan Rotando, now or formerly, of Causeway Mall Realty Trust;

Thence S. 00° 32′ 50" W., 72.43 feet, by the westerly line of land, now or formerly, of Causeway Mall Realty Trust, to a point in the northerly line of the combined highways, at or near an iron pin;

Thence Southwesterly, by the northerly line of the combined highways and a curve to the right having a radius of 865.00 feet, an arc distance of 119.93 feet, said arc being subtended by a central angle of 07° 56′ 39", to a point of tangency, to the M.H. bound first mentioned being the point and place of beginning.

Containing 20,920 square feet, or 0.48 acres, more or less, and shown as "remaining land of Lencorp, Inc." upon a plan entitled "Plan of Land In West Boylston Prepared For Paul B. & Susan A. Lenkarski, Lencorp, Inc. Causeway Mall Realty Trust," dated May 31, 1996, prepared by Berry Engineering, Inc., and recorded with Worcester District Registry of Deeds as Plan 18 in Plan Book 706.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Route 12 (Sterling Street) & Route 110 (Lancaster Street) which may be held by the supposed owner, as a result of its ownership of the above described property, and being most of the same premises described in a deed from D.D. Realty Corporation to Lencorp, Inc., dated January 19, 1989 and recorded with Worcester District Registry of Deeds in Book 11882, Page 104.

The above described property is represented upon West Boylston Assessors Tax Map 139 as most of Parcel 6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land; provided, however, that the amount of $ 31,000.00 is withheld from the award of damages awarded by the Commission to the supposed owner, until environmental remediation is completed at said premises in accordance with regulations promulgated by the state Department of Environmental Protection.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Lencorp, Inc.	$ 300,000.00

Action was taken upon the following Various Matter:

1. Report of Miss Overton, January 9, requesting approval and execution of Amendment No. 2, to Contract No. P96-1824-S1A, with Fugro East, for Development of a Resource Management Plan for the lands owned and managed within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern, which extends time from January 31, 1997 to April 30, 1997, due to difficulty in coordinating public participation during holiday season.
(At no increase in contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for Amendment No. 2, dated January 16, 1997, to Contract No. P96-1824-S1A, with Fugro East, which was signed by the Commissioner and two Associate Commissioners. Associate Commissioner Elkort did not vote on this matter nor sign the Amendment.

Adjourned at 9:35 a.m., to meet on Thursday, January 23, 1997, at 9:00 a.m.

William F. Ruskey
Secretary

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Record of the Three Thousand Seven Hundred and Ninety Eighth (3798th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 23, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on January 9, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment No. 1, dated January 23, 1997, to Contract-Agreement No. WM94-003-D1A, with Lichtenstein and Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston.

Action was taken upon the following matters relating to the Engineering an Construction Division:

2. Report of Messrs. Faucher and Sacco, December 6, 1996, recommending the following on Contract No. P92-1646-C3A, with W. H. Hughes, Inc., for Installation of Traffic Gates, Beades Drawbridge, Dorchester -

(a) That work be accepted as completed as of August 4, 1996.
(b) That Estimate No. 3 (Final), in the amount of $3,522.60, be approved for payment.
(c) That reserve, in the amount of $185.40, be approved for payment.

(Basis of Award - $65,000.00)
(Amount to Date - $64,220.83)
(Contract Performance Rating - 4.87)
(EEO Compliance - 3.00)

The Commission V O T E D: that the work of W. H. Hughes, Inc., Contractor under Contract No. P92-1646-C3A, be and hereby is accepted as completed as of August 4, 1996.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $3,522.60, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $185.40, for payment.

3. Report of Messrs. Faucher and Mayhew, December 31, 1996, recommending the following on Contract No. P96-1831-C1A, with Wayne & Company, Inc., for Improvements, Victory Road, Dorchester -

(a) That work be accepted as completed as of September 5, 1996.
(b) That Estimate No. 2 (Final), in the amount of $496.99, be approved for payment.
(c) That reserve, in the amount of $818.84, be approved for payment.

(Basis of Award - $16,344.00)
(Amount to Date - $16,376.83)
(Contract Performance Rating - 5.00)
(EEO Compliance - N/A)

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The Commission V O T E D: that the work of Wayne & Company, Inc., Contractor under Contract No. P96-1831-C1A, be and hereby is accepted as completed as of September 5, 1996.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $496.99, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $818.84, for payment.

1. Report of Messrs. Faucher and Machado, January 13, requesting approval of the request of the Contractor for revisions in quantities on Contract No. P96-1862-C1A, with South Shore Fence Company, Incorporated, for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan Parks System, as follows -

Item No. 012-010		$15,398.50
Double Leaf Light Weight Closure Gates		
Item No. 016-010	(One each)	$ 1,076.40
Steel Bollards		

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 035-010 - SS Steel Guard Rail).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and DeLuca, January 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1886-C1A, for Critical Repairs to Swimming Pools and Service Buildings within the Metropolitan District (replacement of pool bottom at Brighton/Allston Pool and in addition replacement of expansion joints at Reilly Pool, Cleveland Circle, Holland Pool, Malden and Dilboy Pool, Somerville).
Estimated Cost - $350,000.00.
Time for Performance - Two to three months after Notice to Proceed.
Account No. - 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1886-C1A, for Critical Repairs to Swimming Pools and Service Buildings within the Metropolitan District (replacement of pool bottom at Brighton/Allston Pool and in addition replacement of expansion joints at Reilly Pool, Cleveland Circle, Holland Pool, Malden and Dilboy Pool, Somerville).

3. Report of Messrs. Faucher, Brooks and DeLuca, January 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization in advertise Project No. P97-1885-C1A, for Furnishing and Installing New Filtration Systems at the Holland Pool, Malden and the Allied Veterans Pool, Everett.
Estimated Cost - $605,000.00.
Time for Performance - New system will be operational on or before June 20, 1997 and the project will extend through October 1997 to include winterization of the system.

Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization in advertise Project No. P97-1885-C1A, for Furnishing and Installing New Filtration Systems at the Holland Pool, Malden and the Allied Veterans Pool, Everett.

1. Report of Messrs. Faucher, Brooks and DeLuca, January 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization in advertise Project No. P96-1840-C1A, for Furnishing and Installation of a New Filtration System at the Olsen Pool, Hyde Park.
Estimated Cost - $360,000.00.
Time for Performance - New system will be operational on or before June 20, 1997 and the project will extend through October 1997 to include winterization of the system.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization in advertise Project No. P96-1840-C1A, for Furnishing and Installation of a New Filtration System at the Olsen Pool, Hyde Park.

2. Report of Messrs. Faucher and Mayhew, January 17, recommending the following on Contract No. P96-1865-C1A, with Jay-Mor Enterprises, for Demolition of Garage and Bathhouse, Revere -
(a) That work be accepted as completed as of July 26, 1996.
(b) That Estimate No. 2 (Final), in the amount of $24,280.10, be approved for payment.
(c) That reserve, in the amount of $1,277.90, be approved for payment.
(Basis of Award - $71,600.00)
(Amount to Date - $93,738.00)
(Contract Performance Rating - 5.00)
(EEO Compliance - 3.33)
The Commission V O T E D: that the work of Jay-Mor Enterprises, Contractor under Contract No. P96-1865-C1A, be and hereby is accepted as completed as of July 26, 1996.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $24,280.10, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,277.90, for payment.

3. Report of Mr. Jackson, January 16, on award of Contract No. P93-1678-X5A to Mystic Scenic Studios, Inc., for MDC's 1997 Flower Show Exhibit. Mr. Jackson further requests execution of the Contract by the Commission.
(Mr. Jackson recommends acceptance of the lowest bid received, that of Mystic Scenic Studios, Inc., of $24,024.00).
Estimated Duration of the Contract is ten weeks.
Account No. 2448-0000.
The Commission V O T E D: to accept the lowest bid received, that of Mystic Scenic Studios, Inc., of $24,024.00, for Contract No. P93-1678-X5A, for MDC's 1997 Flower Show Exhibit, as recommended by Mr. Jackson in his report of January 16, 1997.

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The Secretary then submitted for signature Contract No. P93-1678-X5A, dated January 23, 1997, with Mystic Scenic Studios, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matter:

1. Report of Messrs. McDonald and Jewett, January 21, submitting for approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, an Assignment of Permit-Agreement for operation of the Blue Hills Ski Area from Slopes, Inc., to Recreational Sports, Inc., in consideration of $1.00 being paid by each party to the other party.
(June 13, 1996 - the Commission approved and executed a Permit-Agreement between the MDC and Slopes, Inc., to operate the Blue Hills Ski Area from May 1, 1996 to March 31, 1997).
The Commission V O T E D: Approved as recommended by Messrs. McDonald and Jewett in their report of January 21, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, an Assignment of Permit-Agreement for operation of the Blue Hills Ski Area from Slopes, Inc., to Recreational Sports, Inc.

Adjourned at 9:35 a.m., to meet on Thursday, January 30, 1997, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Ninety Ninth (3799th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 30, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on January 16, 1996 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. WM97-012-X1A, dated January 30, 1997, with Northeastern Construction Co., Inc., for Demolition/Removal and Disposal of Three Sheds at the MDC Marlboro Filter Beds.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Mrs. Graves-Jones, January 14, requesting approval of revisions in quantities on Contract No. P96-1836-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, as follows -

Item No. 011-010	**$ 1,000.00**
Cement Concrete Foundation Removed and Discarded	
Item No. 011-020	**$ 1,000.00**
Cement Concrete Foundation - Octagonal	
Item No. 016-010	**$ 1,000.00**
General Purpose Wire (X.H.H.W.#14)	
Item No. 018-010	**$13,000.00**
Traffic Signal Loop Detector Conductor	
Total -	**$16,000.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Controls).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Machado, January 21, recommending the following on Contract No. P95-1803-C1A, with J. Marchese & Sons, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Granite Curbs at Various Locations -
(a) That work be accepted as completed as of December 9, 1996.
(b) That Estimate No. 13 (Final), in the amount of $8,615.41, be approved for payment.
(c) That reserve, in the amount of $7,668.34, be approved for payment.
(Basis of Award - $716,455.00)
(Amount to Date - $647,416.39)
(Contract Performance Rating - 3.33)
(EEO Compliance - 4.00)
The Commission V O T E D: that the work of J. Marchese & Sons, Inc., Contractor under Contract No. P95-1803-C1A, be and hereby

is accepted as completed as of December 9, 1996.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $8,615.41, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,668.34, for payment.

1. Report of Messrs. Faucher and Lespasio, January 22, recommending approval of the request of R. H. D. Construction Co., Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of the following sub-contractors -

Louis Covino & Sons Foundation Co., Inc.
Item No. 001-040 $ 5,400.00
Installation of caisson for traffic signal strain pole.

TMC Services, Inc.
Item No. 045-010 $91,000.00
Installing fuel oil tanks
(At no increase in Contract cost).

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of January 22, 1997.

2. Report of Messrs. Faucher, Brooks and Haider, January 15, recommending approval of the action of Acting Director Faucher, resulting in Extra Work Order No. 7 - directing the contractor to install emergency oil tanks, at the Bajko Skating Rink, Hyde Park - at a time and material basis at a cost not-to-exceed $6,000.00, on Contract No. P96-1817-C1A, with P. H. Mechanical Corp., for Capital Improvements or Major Replacement of HVAC Systems - Including Hot Water and Make Up Air at Various MDC Facilities.
Messrs. Faucher, Brooks and Haider also request an extension of time from December 1, 1996 to January 27, 1997.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting Director Faucher, which resulted in Extra Work Order No. 7, on Contract No. P96-1817-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 7, at a cost not-to-exceed $6,000.00.
The Commission further V O T E D: to approve an extension of time from December 1, 1996 to January 27, 1997, as recommended by Messrs. Faucher, Brooks and Haider in their report of January 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher, Brooks and Haider, January 16, recommending approval of the action of Acting Director Faucher, resulting in Extra Work Order No. 1 - to replace the old boiler system at the General Edwards Bridge, Lynn - at a cost not-to-exceed $6,750.00, on Contract No. P96-1845-M1A, with Fallon Williams Service - Mechanical Contractors, for Maintenance, Service and Repairs to the HVAC Systems at the Locks, Drawbridge, Pump Stations, and the Police Marine Station.
Account No. 2440-0010.
The Commission V O T E D: to approve the action of Acting

Director Faucher, which resulted in Extra Work Order No. 1, on Contract No. P96-1845-M1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, at a cost not-to-exceed $6,750.00.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn and Robert O'Connor, January 21, submitting for approval and execution Wetland Type and Location Effects Study on Stream Water Quality in the Quabbin Drainage Basin, with U. S. Department of the Interior, U. S. Geological Survey.
Time for Performance - January 1, 1997 to September 30, 1997.
MDC cost - $50,000.00.
U. S. Department of the Interior - will provide $25,000.00.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary submitted for signature Wetland Type and Location Effects Study on Stream Water Quality in the Quabbin Drainage Basin, dated January 30, 1997, with the U. S. Department of the Interior, U. S. Geological Survey, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. McGinn and Scannell, January 2, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM97-033-X1A, for Septic System Database Project.
Estimated Cost - $70,000.00.
Time for Performance - Sixteen months.
Account No. 2420-1400 sub HH.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM97-033-X1A, for Septic System Database Project.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, January 27, submitting for approval and execution Amendment to the Contract with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Golf Course, 1996 season. Upon approval and execution Mr. Wortis has agreed to pay $22,000.00 to the Commission.
The Commission V O T E D: Approved as recommended by Mr. Doak in his report of January 27, 1997.
The Secretary then submitted for signature Amendment, dated January 30, 1997, to the Contract with Michael F. Wortis, for Golf Professional Services at Leo J. Martin Golf Course, 1996 season, which was signed by the Commissioner and three Associate Commissioners.

4. Report of Mr. Doak, January 27, submitting for approval and execution Amendment to the Contract with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, 1996 season. Upon approval and execution Mr. Neville has agreed to pay $17,500.00 to the Commission.

The Commission V O T E D: Approved as recommended by Mr. Doak in his report of January 27, 1997.
The Secretary then submitted for signature Amendment, dated January 30, 1997, to the Contract with John F. Neville, Jr., for Golf Professional Services at Ponkapoag Golf Course, 1996 season, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of Mr. Gray and Mrs. O'Brien, January 27, recommending approval and execution of a license agreement with the Boston Gas Company, for the construction, use, maintenance, repair, replacement, and operation of a multi-purpose recreational pathway over land situated off Morrissey Boulevard in the City of Boston, over and across land owned by the Boston Gas Company, subject to the terms and provisions of said license agreement.
The Commission V O T E D: to approve a license agreement with the Boston Gas Company, for the construction, use, maintenance, repair, replacement, and operation of a multi-purpose recreational pathway over land situated off Morrissey Boulevard in the City of Boston, over and across land owned by the Boston Gas Company, subject to the terms and provisions of said license agreement. The Secretary then submitted for signature License Agreement, dated January 30, 1997, with the Boston Gas Company, which was signed by the Commissioner and three Associate Commissioners.

2. Report of the Selection Committee, January 29, recommending that Kenneth Campbell, as an Individual, be approved for the position of Golf Professional at the Ponkapoag Golf Course for the 1997, 1998 and 1999 golf seasons - with Commission option to renew the Agreement for two additional one year periods.
Compensation to the Commission - $123,000.00 to be paid over a period of three years.
The Commission V O T E D: to approve Kenneth Campbell, as an Individual, for the position of Golf Professional at the Ponkapoag Golf Course for the 1997, 1998 and 1999 golf seasons - with Commission option to renew the Agreement for two additional one year periods. Compensation to the Commission - $123,000.00 to be paid over a period of three years.
The Commission further V O T E D: to authorize the Acting General Counsel, the Contract Administrator, the Director of Recreational Facilities and Programs, and others, to enter into contract negotiations with Mr. Campbell.
The Commission further V O T E D: to approve the option to renew the Agreement for two additional one year periods, compensation to be negotiated.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 10:00 a.m., to meet on Thursday, February 6, 1997, at 9:00 a.m.

William F. Bush
Secretary

Record of the Three Thousand Eight Hundredth (3800th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 6, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 23, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement No. PL95-037-D1A, dated February 6, 1997, with Childs Engineering Corporation, for New Charles River Basin/Lovejoy Wharf.

2. Contract No. WM97-075-X1A, dated February 6, 1997, with Northeastern Construction Co., Inc., for Emergency Demolition, Removal and Disposal of Burned Structure, Crowley Road, Sterling.

3. Amendment, dated February 6, 1997, to Contract-Agreement No. P94-1712-D1A, with Metcalf & Eddy, for George's Island Seawall Restoration.

Action was taken upon the following matters relating to the Engineering an Construction Division:

4. Report of Messrs. Faucher and Mayhew, January 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1869-C1A, for Installation of New Roof over Rink Area, Francis L. Murphy Skating Rink, South Boston.
Estimated Cost - $225,000.00.
Time for Performance - forty five days.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1869-C1A, for Installation of New Roof over Rink Area, Francis L. Murphy Skating Rink, South Boston.

5. Report of Messrs. Faucher, Brooks and DeLuca, February 3, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1887-M1A, for Service and Repairs to all M.D.C. Swimming Pools and Service Buildings within the Metro Parks Systems.
Estimated Cost for Fiscal Year 1997 - $175,000.00.
Estimated Cost for Fiscal Year 1998 - $385,000.00.
Estimated Cost for Fiscal Year 1999 - $210,000.00.
Estimated Total Cost - $770,000.00.
Time for Performance - twenty-four months.
Funding is available in Account Numbers 2440-0110-NN and 2440-0010-NN.
(Funding for Fiscal Years 1998 and 1999 is contingent upon sufficient funds being made available through the annual budget

appropriation process).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and DeLuca in their report of February 3, 1997. The Commission further V O T E D: authorization to advertise Project No. P97-1887-M1A, for Service and Repairs to all M.D.C. Swimming Pools and Service Buildings within the Metro Parks Systems.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, January 25, recommending approval of the request of WES Construction Corp., Contractor on Contract No. WM93-060-C1A, for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough, to engage the services of the following sub-contractors -

Griffin DeWatering Corporation

Item No. 02145.1		$ 47,000.00
Item No. 02145.2		$ 20,000.00
	Total -	**$ 67,000.00**

Harry S. Peterson

Item No. 04500.1		$ 20,328.00
Item No. 04500.2		$128,375.00
Item No. 04500.3		$ 21,508.00
Item No. 04500.4		$ 3,257.00
Item No. 04500.5		$ 5,103.00
Item No. 04500.6		$ 12,412.00
Item No. 04500.7		$ 4,344.00
Item No. 04500.8		$ 2,400.00
Item No. 04600.1		$ 1,250.00
	Total -	**$198,977.00**

Delta Construction, WBE

Item No. 01510.1		$ 17,000.00
Item No. 02712.1		$ 25,000.00
	Total -	**$ 42,000.00**

Eureka Construction Co., Inc.

Item No. 02200.5		$ 20,000.00
Item No. 02712.3		$ 10,000.00
Item No. 02200.4		$ 40,000.00
	Total -	**$ 70,000.00**

Foster's Electric Service MBE

Item No. 02015.6		$ 25,000.00
Item No. 02810.1		$ 15,000.00
	Total -	**$ 40,000.00**

(At no increase in Contract Cost).
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Kane, January 25, on bids for Dismantling of Barn, Stockpiling of Selected Timber and removal of Debris, Sterling, Contract No. WM97-011-X1A.
(Messrs. McGinn and Kane recommend acceptance of the low bid, that of F. A. Moschetti & Sons, Inc., of $12,460.00).
Messrs. McGinn and Kane request that the Commission execute the

Contract.
The Commission V O T E D: to accept the lowest bid received, that of F. A. Moschetti & Sons, Inc., of $12,460.00.
The Secretary then submitted for signature Contract No. WM97-011-X1A, with F. A. Moschetti & Sons, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, January 23, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. PL-97-047-C1A, for Site Demolition and Loam and Seed Application, MDC Central Services Maintenance Facility (GSA Building).
Estimated Cost - $200,000.00.
Time for Performance - four months.
Account No. 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL-97-047-C1A, for Site Demolition and Loam and Seed Application, MDC Central Services Maintenance Facility (GSA Building).

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mr. Gray, January 31, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 356 of the Acts of 1996, that certain parcel of land located in the Town of West Boylston and comprising approximately 13,506 square feet, or 0.31 acres, to Alfred H. Carl and Winifred M. Carl for driveway and landscaping purposes, subject to the terms and provision of Chapter 356 of the Acts of 1996.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 356 of the Acts of 1996, that certain parcel of land located in the Town of West Boylston and comprising approximately 13,506 square feet, or 0.31 acres, to Alfred H. Carl and Winifred M. Carl for driveway and landscaping purposes, subject to the terms and provision of Chapter 356 of the Acts of 1996.

Action was taken upon the following Various Matter:

3. Report of Ms. Overton, February 4, requesting approval of MDC Rules and Regulations, as amended, due to public hearing held on January 16, 1996, and in accordance with Executive Order 384. Ms. Overton further requests that the Commission rescind **350 CMR 6.00** (Projections in, on or over land or waters owned or controlled by MDC) and **350 CMR 13.00** (The filing, investigation and settlement of claims for equitable adjustment in contract price for differing subsurface of latent physical conditions).
The Commission V O T E D: to approve the following MDC Rules and Regulations:

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350 CMR 2.00 - Government and Use of Reservations and Parkways under the care and control of MDC
Authority: M.G.L. c.92, section 37.

350 CMR 3.00 - Pedestrian Rules
Authority: M.G.L. c.90, section 18A.

350 CMR 4.00 - Traffic Rules
Authority: M.G.L. c.92, section 37.

350 CMR 5.00 - Parking and Penalties Therefore
Authority: M.G.L. c.90, sections 20C and 20D, c.92, section 37.

350 CMR 7.00 - Classification and Rating of Prospective Bidders
Authority: M.G.L. c.92, section 95A.

350 CMR 12.00 - Government and Use of the waters of the Charles River Basin
Authority: M.G.L. c.92, section 38.

350 CMR 14.00 - Fee, Licenses, Permits, Rents, Leases and Other
Authority: St. 1991, c.138 section 2 and forms for Item 240-1000 Secretary of Administration & Finance.

The Commission further V O T E D: to rescind **350 CMR 6.00** (Projections in, on or over land or waters owned or controlled by MDC) and **350 CMR 13.00** (The filing, investigation and settlement of claims for equitable adjustment in contract price for differing subsurface of latent physical conditions), as requested by Ms. Overton in her report of February 4, 1997.

Adjourned at 9:45 a.m., to meet on Thursday, February 13, 1997, at 9:00 a.m.

William F. Bushnell
S e c r e t a r y

Record of the Three Thousand Eight Hundred and First (3801st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 13, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on January 30, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja and Miss Overton, February 6, recommending approval of revisions in quantities on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Clean-up at Various MDC Facilities -

Item No. 001-001	**$ 8,000.00**
Remove and Dispose 1,000 to 5,000 Gal. U.S.T.	
Item No. 001-002	**$ 24,000.00**
Remove and Dispose 6,000 to 10,000 Gal. U.S.T.	
Item No. 001-003	**$ 18.000.00**
Remove and Dispose 11,000 to 15,000 Gal. U.S.T.	
Item No. 001-008	**$ 7,600.00**
Removal and Disposal of Fuel Tank Contents	
Item No. 001-012	**$ 2,400.00**
Transfer of Fuel to a Different Location	
Item No. 002-006	**$ 90,000.00**
Furnish and Install 10,000 Gal. Underground Heating Oil Fuel Tanks w/accessories Foundation and Connection to Boiler.	
	Total - $150,000.00

Funding from Account No. 2446-3911.
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Graves-Jones, February 6, recommending approval of a revision in quantities on Item No. 010-010 - Traffic Control Services - at a cost of $12,500.00, on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC.
(Funds for the item are nearly depleted due to high volume of traffic while the Contractor installed the markings).
Funding from Account No. 2490-0012 NN.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor, February 3, on proposals for the tapping of sugar maple trees located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of $226.50; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot No. 72 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $300.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot No. 74 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $112.00; allowing 323 taps of 205 sugar maple trees on Sugar Maple Lot No. 75 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $140.00; allowing 557 taps of 287 sugar maple trees on Sugar Maple Lot No. 76 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $140.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot No. 77 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $200.00; allowing 491 taps of 202 sugar maple trees on Sugar Maple Lot No. 78 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Vignaly, February 4, requesting approval of an extension of time from March 31, 1997 to June 30, 1997, on Contract No. WM95-053-S1A, with Comprehensive Environmental, Inc., for Hazardous Materials Emergency Response Planning for the Ware River, Quabbin and Wachusett Reservoir Watersheds, due to a delay in issuance of the Notice to Proceed. (At no increase in Contract cost).
The Commission V O T E D: Approved.

Adjourned at 9:40 a.m., to meet on Thursday, February 20, 1997, at 9:00 a.m.

William F. Powers
Secretary

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Record of the Three Thousand Eight Hundred and Second (3802nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 20, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on February 6, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja, February 13, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1898-C1A, for Unquity Dump Site Landfill Capping, Milton.
Estimated Cost - $400,000.00.
Time for Performance - twelve months.
Account No. 2440-7849 - contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1898-C1A, for Unquity Dump Site Landfill Capping, Milton.

2. Report of Messrs. Faucher and Sacco, January 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1890-C1A, for Boston Harbor Beaches - Winthrop Seawall Repairs.
Estimated Cost - $100,000.00.
Time for Performance - four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1890-C1A, for Boston Harbor Beaches - Winthrop Seawall Repairs.

3. Report of Messrs. Faucher and Jackson, February 7, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P97-1888-C1A, for Reconstruction of the 13th Tee at Ponkapoag Golf Course.
Estimated Cost - $47,500.00.
Time for Performance - six months.
Account No. 2440-4000.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1888-C1A, for Reconstruction of the 13th Tee at Ponkapoag Golf Course.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

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1. Report of Messrs. Faucher and Lespasio, February 14, requesting authorization for R.H.D. Construction Co., Inc., general contractor, to utilize the service of Mass Bay Electrical Corporation, as sub-contractor for all electrical and electrical related work, at a cost of $213,300.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown. (At no additional cost to the Commission).
The Commission V O T E D: approved as requested by Messrs. Faucher and Lespasio in their report of February 14, 1997.

2. Report of Messrs. Faucher and Sacco, February 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1893-M1A, for General Edwards Bridge - Operational Maintenance Contract.
Estimated Cost - $50,000.00 budgeted.
Time for Performance - twenty four months.
Account No. 2440-0010 - contingent upon sufficient funds being made available through the annual budgetary appropriation process.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1893-M1A, for General Edwards Bridge - Operational Maintenance Contract.

3. Report of Messrs. Faucher, Lespasio and Mrs. O'Brien, February 12, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park, as follows -

Item No. 002-200	**$ 33.00**
Removal of Stair Nosings	
Item No. 002-010	**$ 154.00**
Removal of Trees	
Item No. 002-217	**$ 195.80**
Removal of Chain Line Fence	
Item No. 002-040	**$ 646.80**
Removal of Granite Curb	
Item No. 002-020	**$ 1,218.00**
Removal of Shrubs and Vegetation	
Item No. 001-020	**$ 3,300.00**
Remodel Utility Structures	
Item No. 001-010	**$ 3,630.00**
Adjust Casting	
Item No. 002-210	**$ 4,180.00**
Removal of Concrete and Granite Blocks	
Item No. 039-090	**$ 4,620.00**
Light Fixture Type G	
Item No. 039-080	**$ 4,620.00**
Light Fixture Type F	
Item No. 013-030	**$ 5,940.00**
Drain Manhole	
	Total - $28,537.60

Funding from Account No. 2449-6033.
The Commission V O T E D: Approved.

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Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, January 24, recommending the following on Contract No. WM96-048-C1A, with United Electric Company, Inc., for Improvements to the Electrical System at the DWM Field Administration Complex, West Boylston -
(a) That work be accepted as completed as of January 16, 1997.
(b) That Estimate No. 2 (Final), in the amount of $11,181.57, be approved for payment.
(c) That reserve, in the amount of $2,489.10, be approved for payment.
(Basis of Award - $18,400.00)
(Amount to Date - $24,890.97)
(Contract Performance Rating - 5.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of United Electric Company, Inc., Contractor under Contract No. WM96-048-C1A, be and hereby is accepted as completed as of January 16, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $11,181.57, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,489.10, for payment.

2. Report of Mr. McGinn, February 5, requesting authorization for the Contract Administrator to prepare and advertise for proposals on Project No. WM96-013-X2A, for Compliance and Site Assessment Services.
Time for Performance - four months from Notice to Proceed.
Estimated Cost - $20,000.00.
The Commission V O T E D: authorization for the Contract Administrator to prepare and advertise for proposals on Project No. WM96-013-X2A, for Compliance and Site Assessment Services.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien, February 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise for consultant services on Project No. PL97-046-D1A, for Historic Dam - North and South Design.
Estimated Cost - $560,000.00.
Time for Performance - fourteen months.
Account No. 2449-0001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for consultant services on Project No. PL97-046-D1A, for Historic Dam - North and South Design.

Action was taken upon the following Various Matter:

4. Report of Mr. Jewett, February 14, on behalf of the Consultant Selection Committee, requesting approval of Contract No. P97-1881-D1A, with Bourne Consulting Engineering, for Design Engineering Services for Harbor Islands Pier Repair Project - Boston Harbor Beaches Program.

Compensation - Cost not-to-exceed $50,000.00, paid on a cost plus fixed fee basis.
Time for Performance - estimated at twelve months.
Account No. 2440-8889.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, February 14, regarding a certain parcel of land located in the City of Revere and containing approximately 1.84 acres.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 351 of the Acts of 1996, that certain parcel of land located in the City of Revere and containing approximately 1.84 acres, to the City of Revere for the purpose of constructing a public safety facility or recreational facility, subject to the terms and provisions of said Act, but also subject to the following conditions:
1. that no deed conveying said property shall be valid unless such deed provides
    a. a ten-year time limit for construction within the reverter clause;
    b. all construction and improvements on site are subject to prior site plan, design, and construction approval by the MDC;
    c. the City of Revere must incorporate best management practices for storm drain management into its design for all parking areas;
    d. the City of Revere must maintain an open space buffer along Revere Beach Parkway;
    e. a thirty-five (35') foot height restriction and a twenty-five (25') foot setback requirement for any and all buildings and structures on the site; and
2. that, as mandated by the Land Disposition Policy promulgated by the Executive Office of Environmental Affairs, no deed transferring this property to the City of Revere shall be recorded unless and until certain parcels of land owned by said City which may be conveyed without legislative authorization, as designated and agreed to by said City and the MDC, and which are situated within the Rumney Marsh Reservation ACEC area, are transferred for park purposes to the Commonwealth of Massachusetts, acting by and through its MDC; and, that furthermore, said City shall commit in writing to working cooperatively with the MDC in preparing, filing and supporting legislation authorizing the transfer of certain other parcels of land owned by the City within the Rumney Marsh Reservation ACEC area to said Commonwealth, acting by and through its MDC, for park purposes.

Adjourned at 9:45 a.m., to meet on Thursday, February 27, 1997, at 9:00 a.m.

William A. Guzzetti
Secretary

Record of the Three Thousand Eight Hundred and Third (3803rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 27, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 13, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated February 27, 1997, with Kenneth Campbell, for the position of Golf Professional at the Ponkapoag Golf Course for the 1997, 1998 and 1999 golf seasons, with Commission option to renew the Contract-Agreement for two additional one year periods.

Action was taken upon the following matter relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Jackson, February 10, recommending approval of the action of Acting Director Faucher resulting in Extra Work Orders on Contract No. P95-1784-C1A, with A. W. Paine Construction Corp., for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, as follows -

Extra Work Order No. 1 **$4,984.00**
Wood Sheathing on Construction Fence, Marine Park Bandstand.

Extra Work Order No. 2 **$3,473.00**
Additional Roof Framing, at Mother's Rest.
Account No. 2440-8956.

The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Orders Nos. 1 and 2, on Contract No. P95-1784-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $4,984.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $3,473.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, February 18, recommending authorization for WES Construction Corp., general contractor, to utilize the services of Guild Drilling Co., as sub-contractor for Item Nos. 02015.1 thru 02015.3 - borings and installation of piezometers and observation wells and gate boxes - approximate value of $20,635.00 and Item No. 02015.4 - Temporary driven well points - approximate value of $3,000.00, on Contract No. WM93-060-C1A, for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Kane in their report of February 18, 1997.

1. Report of Messrs. McGinn and Vignaly, February 14, recommending the following on Contract No. WM96-067-S1A, with U.S. Department of the Interior, Geological Survey, for Stream Gauging and Well Monitoring -
(a) That work be accepted as completed as of September 30, 1996.
(b) That Final Invoice, in the amount of $8,847.00, be approved for payment.
(Basis of Award - $35,390.00)
(Amount to Date - $35,390.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WM-067-S1A, be and hereby is accepted as completed as of September 30, 1996.
The Commission further V O T E D: to approve Final Invoice, in the amount of $8,847.00, for payment.

2. Report of Messrs. McGinn and Baratta, requesting approval and execution of an Amendment to Contract No. WM95-060-X1A, with SEA Consultants, Inc., for Pilot On-Site Remediation Program which calls for an extension of time from March 3, 1997 to December 31, 1997, due to unanticipated lengthy approval process.
(At no increase in contract cost).
The Commission V O T E D: Approved.
The Commission V O T E D: Approved.
The Amendment did not arrive in time for execution. Therefore, the Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Messrs. Gray and Hart, February 11, requesting the following on Contract No. RP97-0003-1, with Berry Engineering, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 3, 1997.
(b) That Invoice No. 1 (Final), in the amount of $9,150.00, be approved for payment.
(Basis of Award - $9,150.00)
(Final Cost - $9,150.00)
(Consultant Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Berry Engineering, Inc., Contractor under Contract No. RP97-0003-1, be and hereby is accepted as completed as of February 3, 1997.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $9,150.00, for payment.

Adjourned at 9:40 a.m., to meet on Thursday, March 6, 1997, at 9:00 a.m.

William F. Crosbie
S e c r e t a r y

Record of the Three Thousand Eight Hundred and Fourth (3804th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 6, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 20, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement No. P97-1881-D1A, dated March 6, 1997, with Bourne Consulting Engineering, for Design Engineering Services for Harbor Island Pier Repair Project - Boston Harbor Beaches Program.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Mayhew, February 25, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P97-1894-C1A, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
Estimated Cost - $600,000.00.
Time for Performance - Four Months.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1894-C1A, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.

3. Report of Messrs. Faucher and Mayhew, February 28, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P97-1891-C1A, for Installation of New Roofs at the Msgr. William J. Daly Rink, Newton and the Alexander S. Bajko Rink, Hyde Park.
Estimated Cost - $100,000.00.
Time for Performance - Forty-Five Days.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1891-C1A, for Installation of New Roofs at the Msgr. William J. Daly Rink, Newton and the Alexander S. Bajko Rink, Hyde Park.

4. Report of Messrs. Faucher and Kirwin, February 24, requesting approval of a revision in quantities on Item No. 002-010 - Materials, Components, Parts and Controls, at a cost of $6,000.00, on Contract No. P96-1836-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
Account No. 2490-0009.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and McCalla, February 27, recommending approval of a change in the approved funding sources from Account No. 2444-9001 to -
Account No. 2444-9001 - $428,466.67
Account No. 2490-0009 - $ 21,000.00
Total - $449,466.67
on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting System.
(In order to optimize the use of existing funding sources for the project).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and McCalla in their report of February 27, 1997.

2. Report of Messrs. Faucher and McCalla, February 27, recommending approval of revisions in quantities on Contract No. P96-1861-M1A, with Coviello Electric & General Contracting Company, Inc., for Electrical and Electronic Sound System Maintenance -

Item No. 1	**$21,150.00**
Hourly Rate for Licensed Electrician	
Item No. 5	**$ 1,000.00**
Hourly rate for Power Staging	
Item No. 6	**$17,850.00**
Materials, Components, Parts, Equipment	
Total -	**$40,000.00**

Account No. 2440-0110.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, February 19, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P89-1561-C7A, for 1997 Cherry Tree Planting.
Estimated Cost - $10,000.00
Time for Performance - One Month.
Account No. 2448-0052.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P89-1561-C7A, for 1997 Cherry Tree Planting.

4. Report of Messrs. Faucher and Martinez, February 7, recommending the following on Contract No. P97-1872-C1A, with Diversified Contracting, Inc., for Snow Guard Installation and related Work at LoConte Memorial Rink, Medford -
(a) That work be accepted as completed as of January 31, 1997.
(b) That Estimate No. 2 (Final), in the amount of $26,713.81, be approved for payment.
(c) That reserve, in the amount of $2,113.00, be approved for payment.
(Basis of Award - $42,260.00)
(Amount to Date - $42,260.00)
(Contract Performance Rating - 3.66)
(EEO Compliance - Waived)
The Commission V O T E D: that the work of Diversified Contracting, Inc., Contractor under Contract No. P97-1872-C1A, be and hereby is accepted as completed as of January 31, 1997.

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The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $26,713.81, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,113.00, for payment.

1. Report of Messrs. Faucher and Soroka, February 24, recommending approval of revisions in quantities on Contract No. P96-1838-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Controls Systems, Charles River Basin Districts, as follows -

Item No. 002-010	**$15,000.00**
Materials Components, Parts & Controls	
Item No. 004-010	**$ 5,000.00**
Labor Rate for Licensed Electr.(Cont.Tech)	
Item No. 004-020	**$ 5,000.00**
Labor Rate for Licensed Electr.(Serviceman)	
Item No. 004-030	**$ 7,000.00**
Labor Rate for Helper for Misc. Repairs	
Item No. 005-010	**$ 3,000.00**
Hourly rate for Vehicle	
Item No. 011-010	**$ 1,000.00**
Cement Conc. Foundation Remove & Discard	
Item No. 011-020	**$ 1,000.00**
Cement Conc. Foundation Octagonal Base	
Item No. 015-015	**$ 1,000.00**
Traffic Signal Cable 15 Conductor	
Item No. 015-021	**$ 1,500.00**
traffic Signal Cable 21 Conductor	
Item No. 016-010	**$ 250.00**
General Purpose Wire (XHHW #14)	
Item No. 018-010	**$10,250.00**
Traffic Signal Loop Detector	
	Total - $50,000.00

Funding - Account No. 2490-0009 - $15,000.00
Account No. 2440-0010 - $35,000.00.
The Commission V O T E D: Approved.

2. Report of Mr. Faucher and Mrs. Pomorska, February 24, recommending approval of revisions in quantities on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals and Control Systems, Middlesex Fells and Revere Beach Districts, as follows -

Capital Account

Item No. 002-010	**$15,000.00**
Materials, Components, Parts and Controls	
	Total - $15,000.00

Maintenance Account

Item No. 004-020	**$10,000.00**
Labor Rate/Elec.	
Item No. 004-030	**$ 7,000.00**
Labor Rate/Help	
Item No. 005-010	**$ 3,600.00**
Hourly Rate/Vehicle	
Item No. 009-010	**$ 750.00**
Pedestrian Pushbutton	

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Item No. 016-010 **$ 150.00**
General Purpose Wire
Item No. 018-010 **$ 1,500.00**
Traffic Signal Loop Detector
Item No. 019-010 **$ 2,000.00**
Traffic Control Services

Total - $25,000.00

Funding - Capital Account No. 2490-0009 - $15,000.00
Maintenance Account No. 2440-0010 - $25,000.00.
The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Miss Peterson, February 28, recommending approval of the request of the Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/Middlesex Inc./Middlesex Materials Corporation, Contractor on Contract No. P92-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston, for an extension of time from January 15, 1997 to June 14, 1997, for administrative purposes.
(The extension of time is at no increase in Contract cost and in no way will affect the liquidated damages provisions of Article XXI that may be due the Commission. The extension of time shall not operate as a waiver on the part of the Commission or in any of its rights under this Contract).
The Commission V O T E D: to approve an extension of time, for administrative purposes only, from January 15, 1997 to June 14, 1997, as recommended by Mr. Faucher and Ms. Peterson in their report of February 28, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in way affect the liquidated damages in Article No. XXI, that may be due to the Commission or in any of its rights under the Contract.

2. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, February 28, recommending approval of Alteration No. 1, a credit to the Commission, in the amount of $4,800.00, on Item No. 003-110, and ratification of the action of Acting Director Faucher resulting in authorizing the direct loading of material into Massachusetts Highway Department contractor vehicles, on Contract No. PL82-1022-C1A, for Revere Landing Park.
The Commission V O T E D: to approve Alteration No. 1, at a credit to the Commission, in the amount of $4,800.00.
The Commission further V O T E D: to ratify action of Acting Director Faucher resulting in authorizing the direct loading of material into Massachusetts Highway Department contractor vehicles, on Contract No. PL82-1022-C1A, for Revere Landing Park.

3. Report of Messrs. Faucher and Higgott, February 18, recommending the following on Contract No. P94-1753-C1A, with T. Ford Company, Inc., for Nahant Comfort Station Sewage Modification, Nahant Beach Causeway -
(a) That work be accepted as completed as of January 31, 1997.
(b) That Estimate No. 1 (Final), in the amount of $28,376.50, be approved for payment.

(c) That reserve, in the amount of $1,493.50, be approved for payment.

(Basis of Award - $29,870.00)
(Amount to Date - $29,870.00)
(Contract Performance Rating - 3.50)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of T. Ford Company, Inc., Contractor under Contract No. P94-1753-C1A, be and hereby is accepted as completed as of January 31, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $28,376.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,493.50, for payment.

1. Report of Messrs. Faucher and Mayhew, February 28, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for removal of 210 linear feet of guard rail and removal of a 2 feet deep X 165' long concrete wall - at a cost of $1,865.09 on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
Account No. 2490-0017.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $1,865.09.

2. Report of Messrs. Faucher and Mayhew, February 28, recommending that the Commission ratify the action of Acting Director Faucher resulting in revisions in quantities on Contract No. PL92-017-C1A, with D & C Construction Co, Inc., for Upper Charles Reservation Restoration - Phase I, as follows:

Item No. 2 - Bituminous Concrete Removal & Storage	- $13,350.00
Item No. 5 - Crushed Stone	- $13,125.00
Item No. 9 - Unclassified Excavation	- $16,590.00
Item No. 11- Filter Fabric Base	- $12,620.00
TOTAL	$55,685.00

Account No. 2490-0017.
The Commission V O T E D: to ratify the action of Acting Director Faucher resulting in revisions in quantities on Contract No. PL92-017-C1A.
The Commission further V O T E D: to approve the revisions in quantities in the amount of $55,685.00.

3. Report of Messrs. Faucher, Brooks and Deluca, February 28, on bids for Furnishing and Installation of Filtration Systems at the Holland Pool, Malden and Allied Veterans Memorial Pool, Everett, Contract No. P97-1885-C1A.
(Messrs. Faucher, Brooks and Deluca recommend acceptance of the lowest corrected bid received, that of Allied Weatherproofing Co., Inc., of $573,547.00).
(They further request that the Commission reject the bid of Langton & Douglas Contracting, Inc., the second low bidder, due to an incorrect bid).

The Commission V O T E D: to accept the lowest corrected bid received, that of Allied Weatherproofing Co., Inc., of $573,547.00.
The Commission further V O T E D: to reject the bid of Langton & Douglas Contracting, Inc., the second low bidder, due to an incorrect bid.

1. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, March 3, requesting approval of an Alteration and a Revision in Quantity on Contract No. PL82-1022-C1A, with R.H.D. Construction Co., Inc., for Revere Landing Park, as follows:

Alteration
Item No. 045-010- Additional Temporary Fuel Tank (Alt. #2- 10,000 gal. - $5,994.57

Revision in Quantity
Item No. 003-010- Unclassified Excavation - $27,104.00

$33,098.57

Account No. 2449-6033
The Commission V O T E D: to approve an Alteration in the amount of $5,994.57.
The Commission further V O T E D: to approve Revisions in Quantities in the amount of $27,104.00.

2. Report of Messrs. Faucher and Brooks, February 28, on bids for Critical Repairs to Swimming Pools and Service Buildings within the Metropolitan District, Contract No. P97-1886-C1A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Thompson Waterproofing, of $242,350.00).
The Commission V O T E D: to accept the lowest bid received, that of Thompson Waterproofing, of $242,350.00.

3. Report of Messrs. Faucher, Brooks and Deluca, February 28, on bids for Furnishing and Installation of Filtration Systems at the Olsen Memorial Pool, Hyde Park, Contract No. P96-1840-C1A.
(Messrs. Faucher, Brooks and Deluca recommend acceptance of the lowest corrected bid received, that of Allied Weatherproofing Co., Inc., of $318,500.00).
(They further request that the Commission reject the bid of Langton and Douglas Contracting, Inc., the second low bidder, due to an incomplete bid).

4. The Commission V O T E D: to accept the lowest corrected bid received, that of Allied Weatherproofing Co., Inc., of $318,500.00.
The Commission further V O T E D: to reject the bid of Langton and Douglas Contracting, Inc., the second low bidder, due to an incomplete bid.

5. Report of Miss Overton and Mr. Faucher, March 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1789-C2A, for Contaminated Site Cleanup at Indian Line Farm in Canton.
Estimated Cost - $350,000.00.

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Time for Performance - six months.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1789-C2A, for Contaminated Site Cleanup at Indian Line Farm in Canton.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Lespasio, February 28, recommending authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of Franki Northwest Company, as sub-contractor for Item Nos. 029-010, 020 and 030 - Pressure Injected Footings, at a cost of $139,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.
(At no increase in Contract cost).
The Commission V O T E D: authorization for R.H.D. Construction Co., Inc., general contractor, to engage the services of Franki Northwest Company, as sub-contractor for Item Nos. 029-010, 020 and 030 - Pressure Injected Footings, at a cost of $139,000.00, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, February 21, requesting the following on Contract No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Evaluation and Construction Design of Expedient Repairs to Goodnough Dike, Quabbin Reservoir -
(a) That work be accepted as completed as of October 31, 1995.
(b) That Estimate No. 3 (Final), in the amount of $41,153.94, be approved for payment.
(c) That reserve, in the amount of $39,119.34, be approved for payment.
(Basis of Award - $349,997.00)
(Total to Date - $391,193.54)
(Consultant Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of GZA GeoEnvironmental, Inc., Consultant under Contract No. WM94-007-S1A, be and hereby is accepted as completed as of October 31, 1995.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $41,153.94, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $39,119.34, for payment.

3. Report of Mr. McGinn and Ms. McGrath, February 14, requesting approval and execution of an Amendment to Contract No. WM95-088-S1A, with Pickett & Miyares, for West Boylston Subdivison Regulation Contract, which calls for an extension of time from March 3, 1997 to June 30, 1997, due to unanticipated lengthy approval process.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March

6, 1997, to Contract No. WM95-088-S1A, with Pickett & Miyares, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Kane, February 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM97-079-X1A, for Geotechnical Instrument Replacement, Wachusett Dam.
Estimated Cost - $40,000.00.
Time for Performance - three months from Notice to Proceed.
Account No. 2420-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM97-079-X1A, for Geotechnical Instrument Replacement, Wachusett Dam.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, February 28, requesting authorization to expend $13,000.00, within this Fiscal Year, on Contract No. RP97-0002 - Open Order Contract - Real Estate Title Examination Services for Watershed Land Acquisition in FY 1997, for costs related to the examinations of title to watershed land and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill), as amended.
The Commission V O T E D: Approved as requested by Mr. Gray in his report of February 28, 1997.

3. Report of Mr. Gray, February 28, requesting authorization to expend $49,500.00, within this fiscal Year, on Contract No. RP97-0006 - Open Order Contract - Real Estate Relocation Services for Park Land Acquisition in FY 1997, for costs related to relocation services for the acquisition and restoration of park land, and for all purposes consistent with the provision of all appropriate acts and enabling authority.
The Commission V O T E D: approved as requested by Mr. Gray in his report of February 28, 1997.

4. Report of Messrs. Gray and Hart, March 5, recommending the following on Contract No. RP97-0003-7, with David E. Ross Associates, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as on February 13, 1997.
(b) That Invoice No. 1 (Final), in the amount of $6,800.00, be approved for payment.
(Basis of Award - $6,800.00)
(Amount to Date - $6,800.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent).
The Commission V O T E D: that the work of David E. Ross Associates, Inc., Consultant under Contract No. RP97-0003-7, be and hereby is accepted as completed as of February 13, 1997.

The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $6,800.00, for payment.

Action was taken upon the followng Various Matters:

1. Report of Mr. Jewett, March 3, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission the following Contract-Agreements for Watershed Land Acquisition Program FY97 for Professional Real Estate Title Examination Services - Worcester and Franklin Counties - Open Order Contract No. RP97-0002 -

NAME	VALUE	PARCELS
Brundrett & Moutinho	$ 3,500.00	4
Law Offices of Peter E. Flynn, P.C.	$ 2,745.00	5
George S. Norton, Esquire	$ 3,325.00	5
Tamagini & Bloomenthal, P.C.	$ 3,200.00	3
Total -	$12,770.00	17

Completion Date - June 30, 1997
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute on behalf of the Commission the following Contract-Agreements for Watershed Land Acquisition Program FY97 for Professional Real Estate Title Examination Services - Worcester and Franklin Counties - Open Order Contract No. RP97-0002.

2. Report of Mr. Jewett, February 28, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission the following Contract-Agreements for Park Land Acquisition FY97 - for Real Estate Relocation Services - Open Order Contract RP97-0006 -

NAME	VALUE	PARCELS
Anthony A. Rosa & Associates	$12,500.00	2
Relocation Consultants	$37,000.00	3
Total -	$49,500.00	5

Time for Performance - either forty days or ninety days, depending upon the assignment.
Account Nos. 2441-9886, 2449-0005 and 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission the following Contract-Agreements for Park Land Acquisition FY97 - for Real Estate Relocation Services - Open Order Contract RP97-0006.

3. Report of the Selection Committee, February 28, recommending that Michael Wortis d/b/a MFW., Inc., be approved for the position of Golf Professional at Leo J. Martin Golf Course for the 1997, 1998 and 1999 golf seasons with commission option to renew the Agreement for two additional one year periods.
Compensation to the Commission - $153,000.00 to paid over a three year period. The two additional one year options to be negotiated if the Commission approves the option years.
Also, with no Commission Meetings scheduled for March 13th or

March 20th, the Selection Committee is requesting that Commissioner Balfour be authorized to execute the Contract on behalf of the Commission.
The Commission V O T E D: Approved as recommended by the Selection Committee in their report of February 28, 1997.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract on behalf of the Commission.

1. Report of Miss Overton and Mr. Traficante, March 3, requesting approval of an increase in scope on Contract No. P97-1900-X1A, with Health Resources, for Drug and Alcohol Testing Program for Commercial Drivers License Holders (CDL), which will provide Employee Assistance Program/Substance Abuse Professional Service for MDC CDL holders who test positive for alcohol and/or drug use. Cost $95.00 per hour. At no increase in Contract cost.
Miss Overton and Mr. Traficante further request that Commissioner Balfour be authorized to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

2. Report of Miss Overton, March 5, requesting approval of a request from the Attorney General's Office which will extend the time from March 4, 1997 to April 30, 1997, on Tolling Agreement concerning Indian Line Farm Superfund Site in Canton.
Miss Overton further requests that the Commission execute the Tolling Agreement.
The Commission V O T E D: to approve the request from the Attorney General's Office which will extend the time from March 4, 1997 to April 30, 1997, on Tolling Agreement concerning Indian Line Farm Superfund Site in Canton.
The Secretary then submitted for signature Tolling Agreement, dated March 6, 1997, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion, vote on this matter, nor sign the documents.

Adjourned at 9:55 a.m., to meet on Thursday, March 27, 1997, at 9:00 a.m.

William J. Crawford
Secretary

Record of the Three Thousand Eight Hundred and Fifth (3805th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 27, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 27, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P96-1840-C1A, dated March 27, 1997, with Allied Weatherproofing Co., Inc., for Furnishing and Installation of Filtration Systems at the Olsen Memorial Pool, Hyde Park.

2. Contract No. P97-1885-C1A, dated March 27, 1997, with Allied Weatherproofing Co., Inc., for Furnishing and Installation of Filtration Systems at the Holland Pool, Malden and Allied Veterans Memorial Pool, Everett.

3. Amendment, dated March 27, 1997, to Contract-Agreement No. WM95-053-S1A, with Comprehensive Environmental, Inc., for Hazardous Materials Emergency Response Planning for the Ware River, Quabbin and Wachusett Reservoir Watersheds.

4. Contract No. P97-1886-C1A, dated March 27, 1997, with Thompson Waterproofing, for Critical Repairs to Swimming Pools and Service Buildings within the Metropolitan District.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher and Mayhew, March 11, on bids for Installation of New Roof over Rink Area, Francis L. Murphy Skating Rink, South Boston, MA, Contract No. P97-1869-C1A. (Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Capeway Roofing Systems, Inc., of $157,495.00).
Messrs. Faucher and Mayhew further recommend that the Commission approve a change in funding sources from Account No. 2440-0110 to
Account No. 2440-0100 - $ 50,000.00 and
Account No. 2440-0110 - $107,495.00
Total - $157,495.00.
Messrs. Faucher and Mayhew further request that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of Capeway Roofing Systems, Inc., of $157,495.00.
The Commission further V O T E D: to approve a change in funding sources from Account No. 2440-0110 to -
Account No. 2440-0100 - $ 50,000.00 and
Account No. 2440-0110 - $107,495.00
Total - $157,495.00.
The Secretary then submitted for signature Contract No. P97-1869-C1A, dated March 27, 1997, with Capeway Roofing Systems, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Faucher and Mayhew, March 18, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1892-C1A, for Demolition of the James E. Phelan Memorial Swimming Pool, West Roxbury, MA.
Estimated cost - $40,000.00.
Time for Performance - 30 days after Notice to Proceed is issued.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1892-C1A, for Demolition of the James E. Phelan Memorial Swimming Pool, West Roxbury, MA.

2. Report of Messrs. Faucher and Abounaja, March 20, on bids for Unquity Road Landfill Closure in Milton, MA, Contract No. P97-1898-C1A.
(Messrs. Faucher and Abounaja recommend acceptance of the lowest bid received, that of RHD Construction Co., Inc., of $347,999.00).
Messrs. Faucher and Abounaja further recommend that the Commission amend its vote of February 20, 1997, by changing funding from Account No. 2440-7849 to 2490-0009.
The Commission V O T E D: to accept the lowest bid received, that of RHD Construction Co., Inc., of $347,999.00.
The Commission further V O T E D: to amend its vote of February 20, 1997, by changing funding from Account No. 2440-7849 to 2490-0009.

3. Report of Messrs. Faucher and Abounaja, March 12, recommending approval of Alteration No. 1, in the negotiated amount of $300,300.00, for transport of 910 cu.yd. of PCB contaminated debris and soil, in enclosed rolloff containers, to Model City, NY, and dispose of the above soil in a TOSCA approved landfill at a cost of $330.00 a cu.yd, on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.
Messrs. Faucher and Abounaja further recommend the Establishment of an Additional Item for Quantities for Highly PCB Contaminated Materials.
(The Alteration and the Establishment of Additional Quantities will not result in an increase in the contract cost as they will be offset by unused quantities in other items).
The Commission V O T E D: to approve Alteration No. 1, in the negotiated amount of $300,300.00.
The Commission further V O T E D: to approve the Establishment of an Additional Item for Quantities for Highly PCB Contaminated Materials, as recommended by Messrs. Faucher and Abounaja in their report of March 12, 1997.

4. Report of Messrs. Faucher, Brooks and Haider, March 12, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1903-C1A, to Repair the 4" Water Line Breaks at George's Island.
Estimated Cost - $95,000.00

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Time for Performance - approximately twenty days.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1903-C1A, to Repair the 4" Water Line Breaks at George's Island.

1. Report of Messrs. Faucher and McCalla, March 11, recommending approval of revisions in quantities on the following items on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on M.D.C. Parkways, Roadways and Properties -

Item No. 006-010	**$ 9,698.50**
23' - 6" Steel Street Light Std.	
Item No. 026-010	**$ 519.00**
Fluorescent Lamp F96-T12 cw/H2	
Item No. 029-010	**$ 3,750.00**
Mercury Vapor Lamp 250 Watts	
Item No. 030-010	**$ 600.00**
Mercury Vapor Lamp 175 Watts	
Item No. 032-010	**$ 973.00**
H.P.S. Lamp 400 Watts	
Item No. 037-010	**$ 1,704.00**
Photo Cells (Twist)	
Item No. 059-010	**$ 3,683.90**
Control Center	
Total -	**$20,928.40**

(The cost of revisions will be offset by unused funds in Item No. 066-010, Materials, Components and Parts).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, March 20, on bids for 1997 Parkway Landscape Improvements, Contract No. P92-1628-C6A. (Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Northern Tree Service, Inc., of $268,070.00). Messrs. Faucher and Jackson further request that the Commission execute the contract.
The Commission V O T E D: to accept the lowest bid received, that of Northern Tree Service, Inc., of $268,070.00.
The Secretary then submitted for signature Contract No. P92-1628-C6A, dated March 27, 1997, with Northern Tree Service, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Jackson, March 21, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1784-C2A, for Phase I Implementation, Rehabilitation of South Boston Beaches, the project includes the following -
1. Resanding of Carson's and City Point beaches
2. Reconstruction of Mother's Rest Fishing Pier
3. Construction of New Boat Dock at Kelly's Landing
4. Demolition of Kelly's Landing Concession Building
5. Resanding of Constitution Beach, East Boston

Budget for this project - $1,200,000.00.
Time for Performance - anticipated to begin in May and be completed by the end of October, 1997.

Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1784-C2A, for Phase I Implementation, Rehabilitation of South Boston Beaches.

1. Report of Messrs. Faucher and Lenhardt, March 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P93-1675-C1A, for B. U. Bridge Joint/Deck Repair.
Estimated Cost - $130,000.00.
Time for Performance - seventy five days.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1675-C1A, for B. U. Bridge Joint/Deck Repair.

2. Report of Messrs. Faucher and Lespasio and Mrs. O'Brien, March 13, recommending approval of revisions in quantities on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

Item No. 002-110 Selective and/or Partial Removal of Concrete Walks	**$3,659.70**
Item No. 039-050 Lighting Fixture Type A	**$ 880.00**
Total -	**$4,539.70**

Account No. 2449-6033.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and McCalla, March 24, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P97-1902-C1A, for Electrical and Electronic System Improvements at Various Rinks.
Estimated Cost - $350,000.00.
Estimated Time for Completion - six months.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1902-C1A, for Electrical and Electronic System Improvements at Various Rinks.

4. Report of Messrs. Faucher, Brooks and Haider, March 12, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P97-1895-C1A, for Installation of New HVAC Systems in Bajko, Bryan and Connery Skating Rinks.
Estimated Cost - $355,000.00.
Time for Performance - approximately three months.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1895-C1A, for Installation of New HVAC Systems in Bajko, Bryan and Connery Skating Rinks.

1. Report of Messrs. Faucher, Brooks and DeLuca, March 24, recommending approval of a price adjustment of $1,098.00, on Contract No. P97-1885-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pool and Installation of New Filtration Water Treatment and Piping Systems at the Malden (Holland) and Everett (Allied Vets) Pools, as a result of a difference between the allowances and actual sub-bid for Item 011-000 resulting in an increase in the contract award from $573,547.00 to $574,645.00.
Funds for the increase are available in Account No. 2440-0110.
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and DeLuca in their report of March 24, 1997.

2. Report of Messrs. Faucher, Brooks and DeLuca, March 25, recommending approval of a price adjustment of $1,239.40, on Contract No. P96-1840-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pool and Installation of New Filtration Water Treatment and Piping Systems at the Hyde Park (Olsen Pool), as a result of a difference between the allowances and actual sub-bid prices resulting in an increase in the contract award from $318,500.00 to $319,739.40.
Funds for the increase are available in Account No. 2440-0110.
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Brooks and DeLuca in their report of March 25, 1997.

3. Report of Messrs. Faucher and Abounaja, March 7, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1789-C3A, for Contaminated Site Clean-up at Various MDC Facilities.
Estimated Cost - $2,150,000.00.
Time for Performance - twenty four months.
Account Nos. 2446-3911 and 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1789-C3A, for Contaminated Site Clean-up at Various MDC Facilities.

4. Report of Miss Overton and Messrs. Faucher and Jackson, March 25, requesting approval and execution of Amendment No. 2, to Contract No. P95-1783-D1A, with Brown and Rowe, Inc., for Boston Harbor Beaches Program - (Rehabilitation of Constitution Beach, East Boston), which calls for additional services at a cost not-to-exceed $89,822.00.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 27, 1997, on Contract No. P95-1783-D1A, with Brown and Rowe, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Management Division:

5. Report of Messrs. McGinn and Robert O'Connor, March 21,

requesting approval and execution of Inter-Governmental Service Agreement between the MDC and the University of Massachusetts, Department of Forestry and Wildlife Management, for the acquisition of a log truck and skidder by the MDC in exchange for the transfer of logs to the University of Massachusetts. (No funds are required to execute the Agreement).
Mr. Jewett noting that the Agreement did not arrive in time for the Meeting, requested that the Commission authorize Commissioner Balfour to execute the document on behalf of the Commission once it arrives.
The Commission V O T E D: to approve the Inter-Governmental Service Agreement between the MDC and the University of Massachusetts, Department of Forestry and Wildlife Management.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Inter-Governmental Service Agreement on behalf of the Commission.

1. Report of Messrs. McGinn and Robert O'Connor, February 27, recommending the following on Contract No. WM96-037-S1A, with the University of Massachusetts, for Rare Plant Inventory of MDC Land w/Emphasis on Future Timber Sales (Phase II) -
(a) That work be accepted as completed as of December 31, 1996.
(b) That Invoice No. 5 (Final), in the amount of $226.95, be approved for payment.
(Basis of Award - $13,015.00)
(Total to Date - $12,663.11)
(Consultant Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the University of Massachusetts, Contractor under Contract No. WM96-037-S1A, be and hereby is accepted as completed as of December 31, 1996.
The Commission further V O T E D: to approve Invoice No. 5 (Final), in the amount of $226.95, for payment.

2. Report of Mr. McGinn and Ms. Austin, February 27, recommending the following on Contract No. WM97-026-X1A, with Revet Environmental and Analytical Laboratories, Inc., for Laboratory Services for the Ware River, Quabbin and Wachusett Reservoir Watersheds -
(a) That work be accepted as completed as of January 15, 1997.
(Basis of Award - $10,000.00)
(Total to Date - $10,000.00)
(Consultant Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Revet Environmental and Analytical Laboratories, Inc., Consultant under Contract No. WM97-026-X1A, be and hereby is accepted as completed as of January 15, 1997.

2. Report of Messrs. McGinn and Kane, March 20, requesting approval and execution of an Amendment to Contract No. WM95-011-D1A, with Woodward-Clyde Consultants, for Restoration of the Downstream Areas, Goodnough Dike, Ware, Massachusetts. The Amendment will extend the time for performance from March 31, 1997 to September 30, 1997, to allow the necessary time for completion of the permitting process.

At no additional cost to the Commission.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 27, 1997, to Contract No. WM95-011-D1A, with Woodward-Clyde Consultants, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Messrs. Gray and Hart, March 20, recommending the following on Contract No. RP97-0003-3, with James E. Gaffney Co., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 10, 1997.
(b) That Invoice No. 1 (Final), in the amount of $19,280.00, be approved for payment.
(Basis of Award - $19,280.00)
(Total to Date - $19.280.00)
(Consultant Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of James E. Gaffney Co., Consultant under Contract No. RP97-0003-3, be and hereby is accepted as completed as of February 10, 1997.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $19,280.00, for payment.

2. Report of Messrs. Gray and Hart, March 19, recommending the following on Contract No. RP97-0003-6, with Gary D. Lanpher, Jr., P.L.S., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 10, 1997.
(b) That Invoice No. 2 (Final), in the amount of $410.00, be approved for payment.
(Basis of Award - $4,100.00)
(Total to Date - $4,100.00)
(Consultant Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Gary D. Lanpher, Jr., P.L.S., Consultant under contract No. RP97-0003-6, be and hereby is accepted as completed as of February 10, 1997.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $410.00, for payment.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, March 21, on behalf of a Consultant Selection Committee, recommending approval of the selection of Weston and Sampson Engineers, Inc., for Contract No. WM97-061-D1A - Master Sewer System Design - Phase II, West Boylston and Holden.
Compensation - not-to-exceed $1,951,000.00 paid on a cost plus fixed fee basis.
Time for Performance - twenty four months.
Account No. 2420-7961.

(Mr. Jewett requests execution of the Contract).
The Commission V O T E D: to approve the selection of Weston and Sampson Engineers, Inc., for Contract No. WM97-061-D1A - Master Sewer System Design - Phase II, West Boylston and Holden.
The Secretary then submitted for signature Contract No. WM97-061-D1A, dated March 27, 1997, with Weston and Sampson Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.

1. Report of Mrs. O'Brien, March 21, requesting approval of Project No. PL96-040-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1997.
Estimated Cost - $150,000.00 - pending Legislative approval.
Mrs. O'Brien further recommends authorization to advertise the project if funding is approved by the Legislature.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL96-040-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1997, if funding is approved by the Legislature.

Adjourned at 10:00 a.m., to meet on Thursday, April 3, 1997, at 9:00 a.m.

William F. Cusack
Secretary

Record of the Three Thousand Eight Hundred and Sixth (3806th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 3, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on March 6, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Brooks, March 27, on bids for Service and Repairs to Swimming Pools and Service Buildings, Contract No. P97-1887-M1A.
(Messrs. Faucher and Brooks recommend acceptance of the lowest bid received, that of Allied Weatherproofing Company, Inc., of $949,384.00).
The Commission V O T E D: to accept the lowest bid received, that of Allied Weatherproofing Company, Inc., of $949,384.00.

2. Report of Mrs. O'Brien and Messrs. Faucher and Lespasio, March 24, recommending approval of revisions in quantities on the following items on Contract No. PL82-1022-C1A, with R.H.D. Construction Company, Inc., for Revere Landing Park -

Item No. 005-010 - Filter Fabric	- $9,620.60
Item No. 018-050 - Weathervane on Oval Light	- $ 275.00
Total	- $9,895.60

Account No. 2449-6033.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Mayhew, March 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1899-C1A, for Installation of New Roofing at the Rev. Romano Simoni Memorial Rink, Cambridge.
Estimated Cost - $300,000.00.
Time for Performance - sixty days after Notice to Proceed.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1899-C1A, for Installation of New Roofing at the Rev. Romano Simoni Memorial Rink, Cambridge.

4. Report of Messrs. Faucher and Machado, March 18, recommending approval of Extra Work Order No. 1 and revisions in quantities on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District Park System, as follows -

Extra Work Order No. 1	**$ 5,018.32**
Cedar Stockade Fence - 6 Feet High	
Revisions in Quantities	
Item No. 073-010	**$ 748.00**
Remove and Dispose or Store Chain Link Fence - 2 feet to 6 feet high	

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Item No. 074-010 **$ 7,261.60**
Remove and Dispose or Store Chain Link
Fence - 8 feet to 12 feet high

Total - $13,027.92

(At no increase in Contract cost as the Extra Work Order and revisions will be off set by unused quantities in Item No. 088-010 - Traffic Control Services).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $5,018.32.
The Commission further V O T E D: to approve the Revisions in Quantities as recommended by Messrs. Faucher and Machado in their report of March 18, 1997.

1. Report of Messrs. Faucher and Kirwin, March 28, recommending approval of revisions in quantities on Contract No. P96-1836-M1A, with Coviello Electric and General Contracting Company, Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, as follows -

Item No. 003-010 **$1,925.00**
Flashing T. S. Knockdown Repair
Item No. 009-010 **$2,250.00**
Pedestrian Push Button and Sign
Item No. 014-010 **$ 525.00**
Traffic Ln. Ft. Signal Wire T.F.F. #18
Item No. 017-010 **$ 500.00**
Detector Ln. Ft. Lead-in Cable

Total - $5,200.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Controls).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Abounaja, March 31, requesting approval and execution of Amendment No. 1, to Contract No. P95-1768-D2A, with Camp, Dresser & McKee, Inc., for Licensed Site Professional (LSP) Services for Various MDC Facilities, which increases the cost of the project from $150,000.00 to $536,650.00, due to the need to complete the scope of work negotiated with the Department of Environmental Protection for Indian Line Farm.
Account No. 2490-8910.
The Commission V O T E D:
Approved.
The Secretary then submitted for signature Amendment No. 1, dated April 3, 1997, to Contract No. P95-1768-D2A, with Camp, Dresser & McKee, Inc., which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Elkort did not vote on this matter nor sign the Amendment.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor and Ms. Zilligen, March 26, requesting approval of an Amendment to Contract No. WM97-084-C1A, for North Dike Fencing - Wachusett Reservoir, Clinton, which increases the cost, as approved at the Commission

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meeting of August 8, 1996, from $25,000.00 to $50,000.00, to accommodate difficult site conditions and to minimize long term maintenance requirements.
Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Messrs. McGinn and O'Connor and Ms. Zilligen in their report of March 26, 1997.

1. Report of Messrs. McGinn and Robert O'Connor and Ms. Zilligen, March 26, requesting approval of an Amendment to Contract No. WM97-084-C1A, for North Dike Fencing - Wachusett Reservoir, Clinton, which increases the cost, as approved at the Commission meeting of August 8, 1996, from $25,000.00 to $50,000.00, to accommodate difficult site conditions and to minimize long term maintenance requirements.
Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Messrs. McGinn and O'Connor and Ms. Zilligen in their report of March 26, 1997.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, April 2, submitting for approval and execution Agreement with Charles River Recreation, Inc., for Canoe, Kayak and Rowing Services Along the Charles River in Newton and Charles River Basin, near the Herter Center, Allston - Brighton.
Time for Performance - April 1, 1997 to October 31, 2000.
Compensation to the Commission - each year of the Agreement shall be $15,000.00 or 2.5% of gross revenues, which ever is greater.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, April 2, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 149 of the Acts of 1996, that certain parcel of land located in the Town of Southborough and containing approximately 65.87 acres, to the Town of Southborough solely for cemetery purposes.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 149 of the Acts of 1996, that certain parcel of land located in the Town of Southborough and containing approximately 65.87 acres, to the Town of Southborough solely for cemetery purposes, subject to the terms and provisions of said Act, but also subject to the following conditions:
1. that no deed conveying said property shall be valid unless such deed provides
    a. a reverter clause, as set forth within section 3 of said Act;

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b. all construction and improvements on site are subject to prior site plan, design, and construction approval by the MDC Division of Watershed Management;
c. the Town of Southborough must incorporate best management practices for storm drain management into its design or the use of said property;
d. the Town of Southborough must maintain an open space buffer, comprising a permanent, two-hundred (200') foot, no-alteration buffer zone measured landward from the bank of the Sudbury Reservoir, as set forth within section 1 of said Act;
e. the Town of Southborough must enter into a joint management agreement with the MDC Division of Watershed Management, whereby the Town agrees to commit its available resources to the ongoing maintenance of certain other portions of the Sudbury Watershed, as determined by said MDC Division; and
f. that all applicable environmental standards and guidelines promulgated by the State Department of Environmental Protection, and by all other appropriate state regulatory agencies and bodies, are met;

2. that, as mandated by the Land Disposition Policy promulgated by the Executive Office of Environmental Affairs, no deed transferring this property to the town of Southborough shall be recorded unless and until said Town shall commit in writing to working cooperatively with the MDC in preparing, filing and supporting legislation authorizing the transfer of any identifiable parcels of land owned by said town and abutting or adjacent to the Sudbury Reservoir, to said Commonwealth, acting by and through its MDC, for water supply protection purposes.

Adjourned at 9:55 a.m., to meet on Thursday, April 10, 1997, at 9:00 a.m.

William F. Cronin
Secretary

Record of the Three Thousand Eight Hundred and Seventh (3807th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 10, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on March 27, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Jackson, April 3, recommending the following on Contract No. P93-1661-C1A, with I. W. Harding, Construction Co., Inc., for Reconstruction of Father Francis A. Ryan Playground - that the Commission adopt a vote as follows:
Whereas: The Engineer hereby certifies to the Commission that the rate of progress of the work is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that several items of work required under the contract have been abandoned, we hereby declare that I. W. Harding Construction Co., Inc. is in default having violated certain provisions of the contract; and therefore pursuant to the provisions of Article XX of the Special Conditions of the contract documents, hereby notify I. W. Harding Construction Co., Inc. to discontinue all work, or any part thereof, under the contract.
That the Commission adopt a further vote as follows:
Whereas: I. W. Harding Construction Co., Inc. failed to perform the work within the time provided for in the contract, I. W. Harding Construction Co., Inc. is hereby assessed Liquidated Damages in the amount of $90,000.00 per ARTICLE XXI "Damages to the Commission". This amount is based on the rate provided in the contract of $500.00 per day and covers the period from the contract completion date, December 29, 1994 through the date of substantial completion June 30, 1995. The contract provides for assessment of liquidated damages through the date of final acceptance, which has not yet occurred.
That the Commission adopt a further vote as follows:
Whereas: The Continental Insurance Company of Chicago, Illinois, executed a Performance Bond, as surety, on behalf of I. W. Harding Construction Co., Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance by I. W. Harding Construction Co., Inc. of all the undertaking, covenants, agreements, terms, and conditions, of said contract on its part to be kept and performed; and That the Commission adopt a further vote as follows:
Whereas: The Commission has declared I. W. Harding Construction Co., Inc. to be in default, having violated certain provisions of the contract; now therefore the Commission hereby notifies the surety of said default and requests The Continental Insurance Company of Chicago, Illinois to take such action as is necessary to complete said contract. Further that all work under this contract shall be completed within the sixty days of notification

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to the surety.
The Commission V O T E D: **Whereas:** The Engineer hereby certifies to the Commission that the rate of progress of the work is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that several items of work required under the contract have been abandoned, we hereby declare that I. W. Harding Construction Co., Inc. is in default having violated certain provisions of the contract; and therefore pursuant to the provisions of Article XX of the Special Conditions of the contract documents, hereby notify I. W. Harding Construction Co., Inc. to discontinue all work, or any part thereof, under the contract.
The Commission further V O T E D: **Whereas:** The Continental Insurance Company of Chicago, Illinois, executed a Performance Bond, as surety, on behalf of I. W. Harding Construction Co., Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance by I. W. Harding Construction Co., Inc. of all the undertaking, covenants, agreements, terms, and conditions, of said contract on its part to be kept and performed.
The Commission further V O T E D: **Whereas:** The Commission has declared I. W. Harding Construction Co., Inc. to be in default, having violated certain provisions of the contract; now therefore the Commission hereby notifies the surety of said default and requests The Continental Insurance Company of Chicago, Illinois to take such action as is necessary to complete said contract. Further that all work under this contract shall be completed within the sixty days of notification to the surety.

1. Report of Messrs. Faucher and Brooks, April 3, recommending approval of revisions in quantities on Contract No. P96-1859-M1A, with Lewis Refrigeration Company, for Maintenance of Refrigeration Systems Located in Ice Skating Rinks within the Metropolitan Parks Systems, as follows -

Item No. 023-010 - Provide Maintenance Service - **$30,800.00**
Item No. 025-010 - Materials and Parts - **$29,200.00**
Total - $60,000.00

Account No. 2440-0110.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Sacco, April 3, recommending approval of Extra Work Order No. 1 - for changing the location of the new hot water heater from the Cambridge Rindge Pool to the Malden Pool - at a cost of $9,081.08, on Contact No. P96-1842-C1B, with Allied Weatherproofing Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings.
Account No. 2440-0110.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $9,081.08.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, April 2, submitting for approval and execution Agreement with Charles River Recreation, Inc., for

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Canoe, Kayak and Rowing Services Along the Charles River in Newton and Charles River Basin, near the Herter Center, Allston - Brighton.
Time for Performance - April 1, 1997 to October 31, 2000.
Compensation to the Commission - each year of the Agreement shall be $15,000.00 or 2.5% of gross revenues, which ever is greater.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated April 10, 1997, with Charles River Recreation, Inc., which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, April 2, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Bob Wetmore, of $5,676.85; to purchase approximately 6,597 board feet of sawlogs and 297 cords of firewood on Timber Lot No. 121A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Bosse Logging, of $2,229.00; to purchase approximately 1,769 board feet of sawlogs and 171 cords of firewood on Timber Lot No. 138 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of John Ducat, of $5,816.48; to purchase approximately 61,481 board feet of sawlogs and 187 tons of pulp on Timber Lot No. 139 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Bob Wetmore, of $14,559.65; to purchase approximately 113,310 board feet of sawlogs, 203 cords of firewood and 180 tons of pulp on Timber Lot No. 263 - Ware River Watershed. The
Commission further V O T E D: to accept the second highest qualified bid, that of King-Chaffee Enterprise, of $20,240.00; to purchase approximately 218,880 board feet of sawlogs on Timber Lot No. 264 - Ware River Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Leclerc & Son, of $31,444.11; to purchase approximately 392,898 board feet of sawlogs, 74 cords of firewood and 713 tons of pulp on Timber Lot No. 689A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New Braintree Firewood, of $1,801.00; to purchase approximately 14,780 board feet of sawlogs and 120 cords of firewood on Timber Lot No. 751A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New Braintree Firewood, of $1,401.00; to purchase approximately 5,029 board feet of sawlogs and 60 cords of firewood on Timber Lot No. 771 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the second highest qualified bid, that of Bob Wetmore, of $3,693.55; to purchase approximately 28,011 board feet of sawlogs and 234 cords of

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firewood on Timber Lot No. 772 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Enterprises, of $13,929.00; to purchase approximately 141,615 board feet of sawlogs, 76 cords of firewood and 160 tons of pulp on Timber Lot No. 773 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Wetherby Farm, of $9,536.00; to purchase approximately 59,100 board feet of sawlogs and 267 cords of firewood on Timber Lot No. 774 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Puffer Forest Products, of $2,194.05; to purchase approximately 4,380 board feet of sawlogs and 103 cords of firewood on timber Lot No. 775 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $59,928.00; to purchase approximately 438,499 board feet of sawlogs, 160 cords of firewood and 624 tons of pulp on Timber Lot No. 777 - Quabbin Reservoir Watershed.

2. Report of Mr. Pula, March 27, submitting for approval season and fee schedule for the 1997 fishing season at Quabbin Reservoir.
The Commission V O T E D: to approve the Quabbin Boat Fishing and Fee Schedule for the 1997 fishing season at Quabbin Reservoir, as follows -

A. FISHING SEASON DATES

The season, weather permitting, for boat and shore fishing will be as follows:
- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 12 and close on Saturday, October 11, 1997.

B. DAYS OPEN

All three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS

-April 12 - 5:00 A.M. (due to large crowds on first weekend)
-April 13 - October 11: 6:00 A.M.

D. CLOSING HOURS - BOATS OFF WATER

-April 12 - May 4: 6:00 P.M.
-May 5 - August 31: 7:00 P.M.
-September 1 - October 11: 6:30 P.M.

E. BOAT RENTAL RATES

Rentals	Minimum	Maximum (8+ hrs.)	Deposit
Boat	$ 2.00	$ 7.00	$ 7.00
Motor (inc. 3 gallons gas)	$ 8.00	$20.00	$20.00
Total	$10.00	$27.00	$27.00

Senior Citizens (65 or older) Monday through Friday except Holidays.
Handicapped Citizens pay half price at all times.

Rentals	Minimum	Maximum (8+hrs.)	Deposit
Boat	$ 1.00	$ 3.50	$ 3.50
Motor (inc. 3 gallons gas)	$ 4.00	$10.00	$10.00
Total	$ 5.00	$13.50	$13.50

F. PARKING/LAUNCHING FEES

Parking:	Per Vehicle	$2.00
	Senior Citizens/ Handicapped Citizen	$1.00
Private Boat Launching:	Per Person	$2.00
	Senior Citizen/ Handicapped Citizen	$1.00.

1. Report of Messrs. McGinn and Vignaly, October 29, 1996, requesting approval and execution of Contract No. WM97-030-X1A, with United States Department of Agriculture - Animal and Plant Health Inspection Service - Animal Damage Control, for Gull Control 1997, at Cunningham Ledge, Wachusett Reservoir.
Cost - $3,460.00.
Time for Performance - one month.
Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM97-030-X1A, dated April 10, 1997, with United States Department of Agriculture - Animal and Plant Health Inspection Service - Animal Damage Control, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Messrs. Gray and Hart, March 31, recommending the following on Contract No. RP97-0003-4, with Guerard Survey Co. & Associates, for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 10, 1997.
(b) That Invoice No. 2 (Final), in the amount of $1,731.00, be approved for payment.
(Basis of Award - $14,214.00)
(Amount to Date - $14,214.00)
(Contract Performance Rating - 8.50 with 10.00 being excellent)
The Commission V O T E D: that the work of Guerard Survey Co. & Associates, Consultant under Contract No. RP97-0003-4, be and hereby is accepted as completed as of February 10, 1997.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $1,731.00, for payment.

3. Report of Messrs. Gray and Hart, March 31, recommending the following on Contract No. RP97-0003-5, with Hub Survey Associates, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 10, 1997.
(b) That Invoice No. 2 (Final), in the amount of $425.00, be approved for payment.
(Basis of Award - $4,720.00)
(Amount to Date - $4,720.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
The Commission V O T E D: that the work of Hub Survey Associates,

Inc., Consultant under Contract No. RP97-0003-5, be and hereby is accepted as completed as of February 10, 1997.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $425.00, for payment.

1. Report of Mr. Gray, April 8, submitting for approval Work Schedule, Project Summary, Project Justification and seeking authorization to expend $115,000.00 within Fiscal Year 1997 for Park Land Acquisition Program, Contract No. RP97-0004 - Open Order Contract for Appraisals for Park Land Acquisition and Protection, (Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties).
Account Nos. 2441-9886 and 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to expend $115,000.00 within Fiscal Year 1997 for Park Land Acquisition Program, Contract No. RP97-0004 - Open Order Contract for Appraisals for Park Land Acquisition and Protection, (Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties).

2. Report of Mr. Gray, April 8, submitting for approval Work Schedule, Project Summary, Project Justification and seeking authorization to expend $8,000.00 within Fiscal Year 1997 for Park Land Acquisition Program, Contract No. RP97-0005 - Open Order Contract for Professional Real Estate Title Examination Services, (Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties).
Account Nos. 2441-9886, 2449-0003 and 2449-0005.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to expend $8,000.00 within Fiscal Year 1997 for Park Land Acquisition Program, Contract No. RP97-0005 - Open Order Contract for Professional Real Estate Title Examination Services, (Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties).

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, April 8, recommending approval and requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, the following five (5) Contract-Agreements for Park Land Acquisition Program '97, for Professional Real Estate Appraisal Services - Open Order Contract No. RP97-0004 -

NAME	VALUE	REPORTS
Winthrop Real Estate Advisors	$ 4,000.00	1
Reynolds Company	$11,700.00	3
Leo M. Flynn	$27,875.00	6
Peter S. Emerson & Associates	$29,787.00	8
Meredith & Grew, Inc.	$20,200.00	6

Account Nos. 2441-9886 and 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the five (5) Contract-Agreements for Park Land Acquisition Program '97, for Professional Real Estate Appraisal Services - Open Order Contract No. RP97-0004.

1. Report of Mr. Jewett, April 8, recommending approval and requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, the following three (3) Contract-Agreements for Park Land Acquisition Program '97, for Professional Real Estate Title Examination Services - Open Order Contract No. RP97-0005 -

NAME	VALUE	PARCELS
George S. Norton, Esq.	$2,805.00	4
Tamagini & Bloomenthal, P.C.	$3,375.00	4
Law Offices of Peter E. Flynn, P.C.	$1,670.00	4

Account Nos. 2441-9886, 2449-0003 and 2449-0005.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the three (3) Contract-Agreements for Park Land Acquisition Program '97, for Professional Real Estate Title Examination Services - Open Order Contract No. RP97-0005.

2. Report of Mr. Jewett, April 10, on behalf of the Consultant Selection Committee requesting approval of the selection of Camp Dresser & McKee, Inc., for Contract No. WM97-061-D3A - Construction Inspection Services for Fast Track Sewer Project, Pinecroft Area, West Boylston and Holden.
Time for Performance - twenty three months with one option to renew for six months.
Estimated Cost - not-to-exceed $700,000.00 - subject to negotiation.
Account No. 2420-7961.
The Commission V O T E D: Approved.

Adjourned at 9:55 a.m., to meet on Thursday, April 17, 1997, at 9:00 a.m.

William F. Cahill
Secretary

Record of the Three Thousand Eight Hundred and Eighth (3808th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 17, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 3, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1887-M1A, dated April 17, 1997, with Allied Weatherproofing Company, Inc., for Service and Repairs to Swimming Pools and Service Buildings.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Lenhardt, March 21, recommending the following on Contract No. P77-0000-D1A (CS-77-9PE), with Parsons, Brinckerhoff, Quade and Douglas, Inc., for Alewife Brook Parkway Bridge Replacement Design -
(a) That work be accepted as completed as of August 30, 1996.
(b) That Estimate No. 126 (Final), in the amount of $10,629.94, be approved for payment).
(c) That reserve, in the amount of $46,830.78, be approved for payment.
(Basis of Award - $ 578,760.00)
(Total to Date - $1,700,234.14)
(Contract Performance Rating - 9.50 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Parsons, Brinckerhoff, Quade and Douglas, Inc., Consultant under Contract-Agreement No. P77-0000-D1A, be and hereby is accepted as completed as of August 30, 1997.
The Commission further V O T E D: to approve Estimate No. 126 (Final), in the amount of $10,629.94, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $46,830.78, for payment.

3. Report of Messrs. Faucher and Lespasio, April 4, recommending approval of the request of R.H.D. Construction Co., Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of John Hoadley & Sons, Inc., for the following items -
Item Nos. 015-050, 015-060 and 015-070 $10,000.00
Install valves for 16" High and Low Service Water Mains
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Miss Overton and Messrs. Faucher and Traficante, April

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15, on bids for Demolition of Two Structures and Site Cleanup at the Abigail Adams Park, Weymouth, Contract No. P97-1884-C1A. (Miss Overton and Messrs. Faucher and Traficante recommend acceptance of the lowest bid received, that of Costello Dismantling Co., Inc., of $432,885.00).
The Commission V O T E D: to accept the lowest bid received, that of Costello Dismantling Co., Inc., of $432,885.00.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, March 31, recommending the following on Contract No. WM97-012-X1A, with Northeastern Construction Company, Inc., for Demolition/Removal and Disposal of Three (3) Sheds at the MDC Marlboro Filter Beds -
(a) That work of be accepted as completed as of March 3, 1997.
(b) That Estimate No. 1 (Final), in the amount of $3,940.00, be approved for payment.
(Basis of Award - $3,940.00)
(Amount to Date - $3,940.00)
(Contract Performance Rating - 4.50 with 5.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Northeastern Construction Company, Inc., Contractor under Contract No. WM97-012-X1A, be and hereby is accepted as completed as of March 3, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $3,940.00, for payment.

2. Report of Messrs. McGinn and Kane, March 31, recommending the following on Contract No. WM97-075-X1A, with Northeastern Construction Company, Inc., for Emergency Demolition/Removal and Disposal of Burned Structure, Crowley Road, Sterling -
(a) That work of be accepted as completed as of February 17, 1997.
(b) That Estimate No. 1 (Final), in the amount of $5,900.00, be approved for payment.
(Basis of Award - $5,900.00)
(Amount to Date - $5,900.00)
(Contract Performance Rating - 4.50 with 5.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Northeastern Construction Company, Inc., Contractor under Contract No. WM97-075-X1A, be and hereby is accepted as completed as of February 17, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $5,900.00, for payment.

3. Report of Mr. McGinn, April 11, requesting approval of an extension of time from April 18, 1997 to June 30, 1997, on Contract No. WM97-011-X1A, with F. A. Moschetti & Sons, Inc., for Dismantling of Barn, Stockpiling of Selected Timber and Removal

of Debris, Sterling, due to concerns shown by various groups regarding dismantling the barn.
(At the present time, there is no anticipated additional Contract cost).
The Commission V O T E D: to approve an extension of time from April 18, 1997 to June 30, 1997, on Contract No. WM97-011-X1A, as requested by Mr. McGinn in his report of April 11, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien and Messrs. Chisholm and Jewett, April 11, recommending approval of the requests of Boston Duck Tours.
The Commission V O T E D: to renew the yearly Permit for use of Land Boulevard, Longfellow Bridge, Gilmore Bridge and Harvard Bridge for the operation of sightseeing vehicles for carriage of passengers for hire until November 30, 1997.
The Commission further V O T E D: to approve the addition of one new DUCK to the fleet, bringing the total to twelve.
The Commission further V O T E D: to acknowledge that Boston DUCK Tours has fulfilled its obligation under paragraph 16 and 17 of its boat ramp permit.

2. Report of Mrs. O'Brien and Mr. Driscoll, April 11, submitting for approval and execution, License-Agreement between the Town of Watertown and the MDC for Improvements to the Primary Entrance to the New Greenway at Galen Street in Watertown Square.
The Commission V O T E D: Approved.
The Secretary then submitted for signature License-Agreement, dated April 17, 1997, between the Town of Watertown and the MDC for Improvements to the Primary Entrance to the New Greenway at Galen Street in Watertown Square, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Mrs. O'Brien, April 11, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. PL82-1022-C2A, for Construction of Rest Rooms at Revere Landing Park.
Estimated Cost - $67,000.00.
Time for Performance - eight months.
Account No. 2449-6033.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL82-1022-C2A, for Construction of Rest Rooms at Revere Landing Park.

4. Report of Mr. Jewett, April 14, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two (2) Contracts for Park Land Acquisition Program FY97, for Professional Real Estate Chapter 21E Study Services - Open Order Contract No. RP97-0004 -

NAME	VALUE	PARCELS
GZA GeoEnvironmental, Inc.	$9,500.00	1
Gale Associates, Inc.	$7,900.00	1

Account Nos. 2441-9886 and 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contracts with GZA GeoEnvironmental, Inc. and Gale Associates, Inc., for Park Land Acquisition Program FY97, for Professional Real Estate Chapter 21E Study Services - Open Order Contract No. RP97-0004.

1. Report of Mrs. O'Brien and Messrs. Chisholm and Jewett, April 14, on proposed fees for Charles Riverboat Company, for the 1997 season.
The Commission V O T E D: Approved as follows -

		1997
55 minute sight-seeing cruise		
	Adult	$ 8.00
	Children	$ 5.00
	Seniors	$ 6.00
Group Rates		
	Adult/Senior	$ 5.00
	Children	$ 4.00
Charter Rates		
"CHARLES II"		
(April, May, Oct.)	2 hour charter	$475.00
	3 hour charter	$550.00
	4 hour charter	$625.00
(June, July, Aug.)	2 hour charter	$525.00
	3 hour charter	$625.00
	4 hour charter	$725.00
"CHARLES I"/ "HENRY LONGFELLOW"		
(April, May, Oct.)	2 hour charter	$695.00
	3 hour charter	$795.00
	4 hour charter	$895.00
(June, July, Aug.)	2 hour charter	$875.00
	3 hour charter	$995.00
	4 hour charter	$1175.00.

Adjourned at 9:55 a.m., to meet on Thursday, April 24, 1997, at 9:00 a.m.

William F. Aisbett
Secretary.

Record of the Three Thousand Eight Hundred and Ninth (3809th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 24, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 10, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1898-C1A, dated April 24, 1997, with RHD Construction Company, Inc., for Unquity Road Landfill Closure in Milton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Mayhew, April 16, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P96-1856-C1A, for Installation of New Roofing, Robert M. Devine Rink, Dorchester.
Estimated Cost - $125,000.00.
Time for Performance - Thirty days.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1856-C1A, for Installation of New Roofing, Robert M. Devine Rink, Dorchester."

3. Report of Messrs. Faucher, Brooks and Haider, April 17, on bids for Repair of 4" Diameter Water Pipe to George's Island, Contract No. P97-1903-C1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of R. Zoppo Corporation, of $142,691.00).
The Commission V O T E D: to accept the lowest bid received, that of R. Zoppo Corporation, of $142,691.00."

4. Report of Messrs. Faucher, Brooks and Mayhew, April 17, recommending approval of the action of Deputy Director Faucher resulting in Extra Work Order No. 2, for land clearing and grubbing existing stumps from beneath sections of low boardwalk and Viewing Deck No. 4 - also removing existing reinforced concrete wall - at a cost of $3,254.39, on Contract No. PL92-017-C1A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration Phase I.
Account No. 2490-0017.
The Commission V O T E D: to approve the action of Deputy Director Faucher which resulted in Extra Work Order No. 2, on Contract No. PL92-017-C1A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration Phase I.

The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $3,254.39.

1. Report of Messrs. Faucher and Abounaja, April 15, recommending approval of the action of Deputy Director Faucher, on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC facilities, as follows -
(a) Alteration No. 2 - for removal of 293.76 tons of PCB contaminated soil from Indian Line Farm and dispose of at a Toxic Substance Control Act (TOSCA) approved landfill - $96,940.80.
(b) Extra Work Order No. 2 - for demolition of farm house, segregation of building materials, rolloff rental, rolloff loading, excavator rental, extension of surrounding fence, cutting trees in surrounding areas and covering the foot print of the farm house - $91,332.16.
(c) Revision in Quantity - Item 004-002 - for disposal cost for contaminated material under crew shift - $12,000.00.
(At no additional cost to the Commission).
The Commission V O T E D: to approve the action of Deputy Director Faucher, on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC facilities, which resulted in Alteration No. 2, Extra Work Order No. 2 and Revision in Quantity on Item No. 004-002.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of $96,940.80.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $91,332.16.
The Commission further V O T E D: to approve the Revision in Quantity, in the amount of $12,000.00.
Associate Commissioner Elkort did not participate in discussion nor vote on this item.

2. Report of Messrs. Faucher and Jackson, April 9, on bids for 1997 Cherry Tree Planting, Contract No. P89-1561-C7A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of West Princeton Corp., of $9,750.00).
The Commission V O T E D: to accept the lowest bid received, that of West Princeton Corp., of $9,750.00.

3. Report of Mr. Faucher, April 17, on bids for Reconstruction of the 13th Tee at Ponkapoag Golf Course, Canton, Contract No. P97-1888-C1A.
(Mr. Faucher recommends acceptance of the lowest bid received, that of West Princeton Corp., of $57,115.00).
The Commission V O T E D: to accept the lowest bid received, that of West Princeton Corp., of $57,115.00.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, April 9, requesting approval of a revision in quantities on Item No. 02015.1 for installing boreholes, providing soil samples, backfilling and surface work at a cost of $160.00, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
Account No. 2422-1442.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Robert O'Connor, March 28, recommending the following on Contract No. WM94-076-S1A, with Berkshire Design Group, Inc., for Land Analysis and Planning: Swiss Valley Farm, West Boylston -
(a) That work be accepted as completed as of December 31, 1996.
(b) That Invoice No. 1 (Final), in the amount of $21,900.00, be approved for payment.
(Basis of Award - $21,900.00)
(Amount to Date - $21,900.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
The Commission V O T E D: that the work of Berkshire design Group, Inc., Consultant under Contract No. WM94-076-S1A, be and hereby is accepted as completed as of December 31, 1996.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $21,900.00, for payment.

Action was taken upon the following Various Matters:

3. Report of Miss Overton, April 17, requesting approval for the Attorney General's Office to extend the tolling period concerning the Indian Line Farm Superfund Site in Canton, from April 30, 1997 to July 30, 1997, on behalf of the Commission.
Miss Overton further requests that the Commission execute the Tolling Agreement.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Tolling Agreement, dated April 24, 1997, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not vote on this matter nor sign the Tolling Agreement.

4. Report of Miss Overton, April 15, requesting approval and execution of Amendment No. 3, to Contract-Agreement No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the Lands Owned and Managed within the Fowl Meadow/Ponkapoag Area of Critical Environmental Concern.
(a) An increase in compensation from $63,455.58 to $67,749.90 (+$4,294.32).
(b) An extension of time from April 30, 1997 to June 30, 1997.
Account No. 2410-7872.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated April 24, 1997, to Contract-Agreement No. P96-1824-S1A, with Fugro East, Inc., which was signed by the Commissioner and three

Associate Commissioners.
Associate Commissioner Elkort did not vote on this matter nor sign the Amendment.

1. Report of Mr. Driscoll, April 18, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Interagency Service Agreement with Massachusetts Highway Department for transfer to the Commission ISTEA Enhancement Funds, in the amount of $1,215,900.00, for Upper Charles River Reservation Restoration Program - Phase 1B (Newton and Waltham Segments).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Interagency Service Agreement with Massachusetts Highway Department for transfer to the Commission ISTEA Enhancement Funds, in the amount of $1,215,900.00, for Upper Charles River Reservation Restoration Program - Phase 1B (Newton and Waltham Segments).

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Mr. Gray, April 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.466 acres of land owned by David R. Grace, Trustee of North Shore Realty Trust, located in the Cities of Cambridge and Boston, Massachusetts, and to approve an award of damages in the amount of $2,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A, provided that $880,000.00 is withheld from that amount until environmental remediation is completed on the site in accordance with regulations promulgated by the State Department of Environmental Protection, and further provided that any and all judgments, claims, costs, including relocation costs under General Laws Chapter 79A, and fees arising from or by operation of the recordation of this Order of Taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin. Account No. 2449-0005.
Following a lengthy discussion concerning the appraisal value for the property and the estimated cost of environmental remediation for the site, the Commission voted to Hold Over the matter.
Mr. Gray was asked to provide the Commission with copies of pertinent documentation prior to the May 1, 1997 meeting.

Adjourned at 10:00 a.m., to meet on Thursday, May 1, 1997, at 9:00 a.m.

William F. Crushell
S e c r e t a r y

Record of the Three Thousand Eight Hundred and Tenth (3810th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 1, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 17, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P97-1888-C1A, dated May 1, 1997, with West Princeton Corp., for Reconstruction of the 13th Tee at Ponkapoag Golf Course, Canton.

The Secretary then submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

2. Contract No. P89-1561-C7A, dated May 1, 1997, with West Princeton Corp., for 1997 Cherry Tree Planting.

3. Contract No. P97-1903-C1A, dated May 1, 1997. with R. Zoppo Corporation, for Repair of 4" Diameter Water Pipe to George's Island.

4. Contract No. P97-1884-C1A, dated May 1, 1997, with Costello Dismantling Co., Inc., for Demolition of Two Structures and Site Cleanup at the Abigail Adams Park, Weymouth.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher and Brooks, February 28, recommending the following on Contract No. P97-1882-X1A, with John Associates, Inc., to Furnish & Install a Color Guard Snow Retention System on Metal Roof at Flynn Memorial Rink, Medford -

(a) That work be accepted as completed as of February 28, 1997.
(b) That Estimate No. 2 (Final), in the amount of $1,119.81, be approved for payment.
(c) That reserve, in the amount of $1,178.75, be approved for payment.

(Basis of Award - $23,575.00)
(Amount to Date - $23,575.00)
(Contract Performance Rating - 4.00)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of John Associates, Inc., Contractor under Contract No. P97-1882-X1A, be and hereby is accepted as completed as of February 28, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $1,119.81, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,178.75, for payment.

1. Report of Messrs. Faucher and Lespasio, March 31, recommending the following on Contract No. P95-1802-C1A, with D & R General Contracting Co., Inc., for Walkway Improvements, MDC Harbor Between Winthrop, Boston & Quincy. -
(a) That work be accepted as completed as of November 30, 1996.
(b) That Estimate No. 8 (Final), in the amount of $3,395.96, be approved for payment.
(c) That reserve, in the amount of $11,906.78, be approved for payment.
(Basis of Award - $264,360.92)
(Amount to Date - $238,135.50)
(Contract Performance Rating - 3.67)
(EEO Compliance - 3.83)
The Commission V O T E D: that the work of D & R General Contracting Co., Inc., Contractor under Contract No. P95-1802-C1A, be and hereby is accepted as completed as of November 30, 1996.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $3,395.96, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $11,906.78, be approved for payment.

2. Report of Miss Overton and Messrs. Faucher and Jackson, April 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1904-C1A, for Reconstruction of Entrance and Parking at Victory Road Park, Dorchester.
Estimated Cost - $65,000.00.
Time for Performance - three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1904-C1A, for Reconstruction of Entrance and Parking at Victory Road Park, Dorchester.

3. Report of Messrs. Faucher and Jackson, April 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1908-C1A, for Construction of New Playground at Marine Park, South Boston.
Estimated Cost - $45,000.00.
Time for Performance - two months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1908-C1A, for Construction of New Playground at Marine Park, South Boston.

4. Report of Messrs. Faucher and Abounaja, April 25, recommending the following on Contract No. P94-1744-C1A, with Green Environmental, Inc., for Oil and Groundwater Collection and Treatment System, Breakheart Reservation, Saugus -
(a) That work be accepted as completed as of December 31, 1996.
(b) That Estimate No. 6 (Final), in the amount of $1,852.50, be approved for payment.

(c) That reserve, in the amount of $4,051.15, be approved for payment.

(Basis of Award - $87,888.00)
(Amount to Date - $81,023.00)
(Contract Performance Rating - 3.17)
(EEO Compliance - 4.00)

The Commission V O T E D: that the work of Green Environmental, Inc., Contractor under Contract No. P94-1744-C1A, be and hereby is accepted as completed as of December 31, 1996.
The Commission further V O T E D: to approve Estimate No. 6 (Final), in the amount of $1,852.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,051.15, for payment.

1. Report of Mr. Faucher and Ms. Pfetsch, April 25, recommending approval of Extra Work Order No. 2, for electrical upgrade of the Captain's House, at a cost of $4,985.45, on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton.
Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $4,985.45.

2. Report of Messrs. Faucher and Brooks, March 24, recommending the following on Contract No. P96-1867-X1A, with Harris Environmental Systems, for Replacement of Microprocessors on Refrigeration Units at Quincy, Hyde Park, Newton and Charlestown -
(a) That work be accepted as completed as of December 5, 1996.
(b) That Estimate No. 3 (Final), in the amount of $7,308.16, be approved for payment.
(c) That reserve, in the amount of $3,846.40, be approved for payment.

(Basis of Award - $76,928.00)
(Amount to Date - $76,928.00)
(Contract Performance Rating - 5.00)
(EEO Compliance - 4.83)

The Commission V O T E D: that the work of Harris Environmental Systems, Contractor under Contract No. P96-1867-X1A, be and hereby is accepted as completed as of December 5, 1996.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $7,308.16, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,846.40, for payment.

3. Report of Messrs. Faucher and Abounaja, April 15, recommending approval of an Amendment to Contract No. P95-1768-D4A, with Lord Associates, for Licensed Site Professional (LSP) Services for Various MDC Facilities, which calls for restoration of funds to the contract which were utilized to conduct extensive laboratory testing and analysis of contaminated debris from Indian Line Farm Project, at an increase in contract cost from $150,000.00 to $263,955.00 = (+$113,955.00).
Account No. 2440-8910.
(Messrs. Faucher and Abounaja further recommend that Commissioner Balfour be authorized to execute the Amendment on behalf of the Commission).

The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment to Contract No. P95-1768-D4A, on behalf of the Commission.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher, Brooks and Galvin, April 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1906-C1A, for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston.
Estimated Cost - $400,000.00.
Time for Performance - ninety days after Notice to Proceed.
Account No. 2440-0110.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1906-C1A, for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston.

2. Report of Messrs. Faucher and Jackson, April 25, on bids for Phase I Implementation, Rehabilitation of South Boston Beaches, Contract No. P95-1784-C2A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Jay Cashman, Inc., of $1,697,400.00).
The Commission V O T E D: to accept the lowest bid received, that of Jay Cashman, Inc., of $1,697,400.00).

3. Report of Messrs. Faucher and Sacco, April 28, on bids for Operational Maintenance - General Edwards Bridge, Revere/Lynn, Contract No. P97-1893-M1A.
(Messrs. Faucher and Sacco recommend acceptance of the only bid received, that of RMH Electric Co., Inc., of $41,250.00).
The Commission V O T E D: to accept the only bid received, that of RMH Electric Co., Inc., of $41,250.00.

Action was taken upon the following matter relating to the Recreational and Facilities Division:

4. Report of Mr. Doak, April 24, recommending approval of a waiver of the 1996-1997 permit fee required by the permit issued to Recreational Sports, Inc., to operate the Blue Hills Ski Area, based on documented capital investment Recreational Sports, Inc. has made at the Blue Hills Ski area with the purchase and installation of a new J-bar ski lift at a cost of $18,500.00. This investment became necessary in early December, 1996 due to a major failure of the lift equipment due to age and stress. Based on the aforementioned, Mr. Doak recommends the following -
1. Forgive the remaining permit balance of $7,500.00 owed the MDC by Recreational Sports, Inc.
2. Reimburse Recreational Sports, Inc. the $7,500.00 previously paid.
(The Commission shall retain ownership of the new lift).

Based on the documented capital investment, Recreational Sports, Inc. has made at the Blue Hills Ski area, with the purchase and installation of a new J-bar ski lift at a cost of $18,500.00, the Commission V O T E D: to forgive the remaining permit balance of $7,500.00 owed the MDC by Recreational Sports, Inc.
The Commission further V O T E D: to reimburse Recreational Sports, Inc. the $7,500.00 previously paid to operate the Blue Hills Ski Area.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. Broderick, April 30, requesting approval of a Contract for Re-powering and miscellaneous work to a 32-foot patrol boat donated to the Commission by the Massachusetts State Police.
Estimated Cost - $13,500.00.
Account No. 2440-8956.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, April 25, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission the following two (2) Contract-Agreements for Professional Real Estate Appraisal Services FY97 Engineering and Construction Division -

Name	Value	Parcels
Leo M. Flynn	$ 9,500.00	15
Peter S. Emerson & Associates	$16,000.00	30

Account No. 2440-8884.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission Contract-Agreements with Leo M. Flynn and Peter S. Emerson & Associates, for Professional Real Estate Appraisal Services FY97 Engineering and Construction Division.

3. Report of Mr. McDonald, April 25, requesting approval of a Settlement Agreement in the amount of $40,000.00 paid by American States Insurance Company to the MDC for water damage to the Commission's Connery Rink, located in Lynn. The damage was allegedly caused, in whole or in part, by the negligence of Allied Weatherproofing Company, the Commission's contractor on a roof replacement contract. Mr. McDonald further requests authorization for Commissioner Balfour to execute all necessary documents on behalf of the Commission.
The Commission V O T E D: to approve a Settlement Agreement in the amount of $40,000.00, paid by American States Insurance Company to the MDC, for water damage to the Commission's Connery Rink, located in Lynn.
The Commission further V O T E D: authorization for Commissioner

Balfour to execute all necessary documents on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, April 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.466 acres of land owned by David R. Grace, Trustee of North Shore Realty Trust, located in the Cities of Cambridge and Boston, Massachusetts, and to approve an award of damages in the amount of $2,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A, provided that $880,000.00 is withheld from that amount until environmental remediation is completed on the site in accordance with regulations promulgated by the State Department of Environmental Protection, and further provided that any and all judgments, claims, costs, including relocation costs under General Laws Chapter 79A, and fees arising from or by operation of the recordation of this Order of Taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin. Account No. 2449-0005.
The Commission discussed at length the acquisition and the cost of environmental remediation at the site.
Associate Commissioner Wu stated that in his opinion the $880,000.00 suggested to be withheld from the pro tanto award of $200,000.00, may not be sufficient for remediation. He suggested that the amount of $1,600,000.00 be withheld from the award amount of $2,000,000.00 to ensure that sufficient funds are available to complete the environmental remediation on site.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.466 acres of land owned by David R. Grace, Trustee of North Shore Realty Trust, located in the Cities of Cambridge and Boston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $2,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A, provided that $1,600,000.00 is withheld from that amount until environmental remediation is completed on the site in accordance with regulations promulgated by the State Department of Environmental Protection, and further provided that any and all judgments, claims, costs, including relocation costs under General Laws Chapter 79A, and fees arising from or by operation of the recordation of this Order of Taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 1, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described two (2) certain parcels of land situated in the Cities of Cambridge and Boston in the respective Counties of Middlesex and Suffolk and Commonwealth of Massachusetts, namely:

Parcel 1.

The land with the buildings thereon situated partly in Cambridge, Middlesex County, and partly in Boston, Suffolk County, known as and numbered 61 Industrial Park Road, bounded and described as follows:

SOUTHWESTERLY By land now or formerly of the Boston & Maine Transportation Company, shown as Lot 3 on a plan entitled "Land in Cambridge, Boston, Mass., Leo M. Pistorino to Boston & Maine Transportation Company," dated August, 1961, and recorded with Suffolk Registry of Deeds in Book 7642, Page 57, and with Middlesex South District Registry of Deeds at the end of Book 9908, Six Hundred Six and 84/100 (606.84) feet;

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NORTHWESTERLY By the line of an access driveway shown on said plan and by land now or formerly of the Boston & Maine Railroad by two lines measuring Thirty-nine and 73/100 (39.73) feet and One Hundred Eleven and 73/100 (111.73) feet;

NORTHEASTERLY By land now or formerly of the Boston & Maine Railroad in two lines, Eighty-six and 83/100 (86.83) feet and Four Hundred Nineteen and 78/100 (419.78) feet;

NORTHWESTERLY Again by said land of the Boston & Maine Railroad Two Hundred Sixty-eight and 44/100 (268.44) feet;

NORTHEASTERLY Again by said land of the Boston & Maine Railroad One Hundred Thirty-seven and 16/100 (137.16) feet; and

SOUTHEASTERLY By the north face of the seawall along the Charles River by five lines measuring Sixty-seven and 41/100 (67.41) feet, One Hundred and 11/100 (100.11) feet, One Hundred and 15/100 (100.15) feet, One Hundred and 15/100 (100.15) feet, and Sixty-one and 63/100 (61.63) feet, respectively.

Parcel 2.

Also a parcel of land situated partly in said Cambridge and partly in said Boston which is that portion of the sea wall which abuts the above described parcel and is about three (3) feet in width, bounded

SOUTHEASTERLY By the Charles River;

NORTHEASTERLY By the boundary line One Hundred Thirty-seven and 16/100 (137.16) feet in length between land of the Grantee (as described above) and land of the Boston & Maine Railroad extended Southeasterly;

NORTHWESTERLY By the above-described land of the Grantee;

SOUTHWESTERLY By the boundary line between the land of the Grantee and land of the Boston & Maine Transportation Company extended Southeasterly.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Industrial Park Road which may be held by the supposed owners, and being the same premises described in a deed from John R. Swansburg to David R. Grace, Trustee of North Shore Realty Trust, said deed dated April 11, 1986, and recorded with Middlesex South District Registry of Deeds in Book 16192, Page 357, and with Suffolk Registry of Deeds in Book 12416, Page 35.

The above premises is said to contain approximately 2.466 acres, or approximately 107,420.6 square feet, according to an unrecorded plan of land dated January 23, 1985, entitled "Plan of Land in Boston & Cambridge, Mass. prepared for The Royce Corporation," by Otte and Dwyer, Inc., Surveyors, which plan is on file with the Real Property Office of the Metropolitan District Commission.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of $ 1,600,000.00, which sum shall be utilized to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations promulgated by the state Department of Environmental Protection, with any monies remaining following the completion of such required remediation to be delivered to the supposed owners of record. The Commission hereby further provides that any and all judgments, claims, costs, including relocation costs required under Chapter 79A of the General Laws, as amended, and fees arising from or by operation of the recordation of this order of taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

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The concurrence of the City Manager of the City of Cambridge, and the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, are either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
David R. Grace, Trustee of North Shore Realty Trust	$ 2,000,000.00

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 122.518 acres of land owned by Robert Arello, et ux, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $245,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39, and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 122.518 acres of land owned by Robert Arello, et ux, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 1, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of the County Road leading from Princeton to Worcester, known as Worcester Road-Route 31, bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a drill hole set at a corner in a stone wall, in the easterly line of Worcester Road-Route 31, said point being the southwesterly corner of land, formerly of the Heirs of Ward N. Boylston, now or formerly, of Burton R. & Sonja A.R. Jacobson;

Thence N. 86° 38′ 40" E., by the stone wall, 307.67 feet, to a drill hole set;

Thence N. 86° 34′ 46" E., by the stone wall, 291.10 feet, to a drill hole set;

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Thence N. 86° 14′ 20" E., by the stone wall, 199.01 feet, to a drill hole set;

Thence N. 86° 13′ 44" E., by the stone wall, 202.89 feet, to a drill hole set in a corner of walls, at land, formerly of Paul B. Morgan, Jr. et als, now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last four courses being by land, now or formerly, of the abovesaid Jacobsen;

Thence N. 85° 55′ 15" E., by the stone wall, 361.98 feet, to a drill hole set;

Thence N. 86° 06′ 12" E., by the stone wall, 289.11 feet, to a drill hole set;

Thence N. 86° 16′ 04" E., by the stone wall, 303,89 feet, to a drill hole set;

Thence N. 85° 57′ 38" E., by the stone wall, 344.01 feet, to a drill hole set;

Thence N. 86° 09′ 19" E., by the stone wall, 382.50 feet, to a drill hole set;

Thence N. 88° 42′ 07" E., by the stone wall, 360.78 feet, to a drill hole set;

Thence N. 88° 29′ 15" E., by the stone wall, 367.80 feet, to a drill hole found in a corner of walls, at land, formerly of Howe Lumber Company, now or formerly, of the Nimrod League of Holden, Inc., the last seven courses being by land, formerly of the aforesaid Morgan et als, now of the Commonwealth of Massachusetts, MDC;

Thence S. 09° 52′ 02" E., 689.04 feet, to an MDC concrete bound set;

Thence S. 37° 25′ 34" W., 431.69 feet, to another MDC concrete bound set;

Thence On the same bearing, 474.16 feet, to a five foot crowbar set with eighteen inches exposed;

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Thence On the same bearing, 448.97 feet, to another MDC concrete bound set;

Thence On the same bearing, 456.88 feet, to a two inch iron pipe found in a pile of stones;

Thence S. 17° 45′ 51" W., 159.75 feet, to a drill hole found in a stone wall in the northerly line of land, now or formerly, of Donald R. & Nancy A. Mathieu, the last seven courses being by land, formerly of Howe Lumber Co., now or formerly, of the aforesaid Nimrod League of Holden Inc.;

Thence S. 83° 27′ 54" W., by the stone wall, 251.67 feet, to a drill hole set;

Thence S. 83° 22′ 09" W., by the stone wall, 271.98 feet, to a drill hole found in a corner of walls, at land, now or formerly, of Kenneth E. & Bonnie H. Manchester, the last two courses being by land, now or formerly, of the aforesaid Mathieu;

Thence N. 54° 53′ 34" W., 495.00 feet, to an MDC concrete bound set;

Thence On the same bearing, 306.62 feet, to another MDC concrete bound set;

Thence On the same bearing, 480.53 feet, to a drill hole set in rock;

Thence On the same bearing, 321.08 feet, to a field stone bound with drill hole set;

Thence On the same bearing, 456.61 feet, to another MDC concrete bound set;

Thence On the same bearing, 345.00 feet, to a field stone bound with drill hole set, at other land, now or formerly, of Robert & Joanne Arello, the last six courses being by land, now or formerly, of the aforementioned Manchester;

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Thence N. 43° 24′ 27" E., 150.00 feet, by other land, now or formerly, of R. & J. Arello, to another MDC concrete bound set at a point in the southeasterly line of "Lot 1," land of Arello specifically excluded from this taking, shown upon an engineered survey plan referenced at the conclusion of this description;

Thence S. 75° 08′ 04" E., 489.14 feet, by "Lot 1", to a drill hole set;

Thence N. 45° 17′ 16" E., 309.77 feet, by "Lot 1", to a drill hole set;

Thence N. 28° 30′ 50" W., 347.22 feet, by "Lot 1", to a drill hole set;

Thence N. 52° 08′ 24" W., 338.61 feet, by "Lot 1", to a drill hole set;

Thence S. 81° 50′ 28" W., 278.81 feet, by "Lot 1", to a drill hole set in the stone wall on the easterly line of Worcester Road-Route 31;

Thence N. 15° 58′ 33" E., by the stone wall and the easterly line of Worcester Road-Route 31, 100.54 feet to the first mentioned drill hole in the corner of walls, being the point and place of beginning.

Containing 122.518 acres, as shown as "Lot 2" upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Princeton (Worcester County), MA, Land Taking Plan For Watershed Protection", dated February 1997 and prepared by James E. Gaffney Co., which plan shall be recorded with Worcester District Registry of Deeds at a later date and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Road-Route 31 which may be held by the supposed owners, as a result of their ownership of the above described property, and being most of the same premises described in a deed from John J. DeGaetano and Mary Jane DeGaetano to Robert Arello and Joanne Arello, dated August 15, 1967 and recorded with Worcester District Registry of Deeds in Book 4780, Page 79.

The above described property is represented upon Princeton Assessors Tax Map 15 as most of Parcel 37.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert Arello and Joanne Arello	$ 245,000.00

he Commission further V O T E D: to approve an award of damages n the amount of $245,000.00, together with such damages and osts as required under General Laws, Chapter 79, Sections 6, 12, 9, and 44A.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 70.60 acres of land owned by Bruce S. Baker, et ux, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 70.60 acres of land owned by Bruce S. Baker, et ux, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 1, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Justice Hill Road Cutoff, a Worcester County Highway, partially bordered by, and flowed by, Justice Brook so-called, more particularly bounded and described as follows:

Beginning at an MDC concrete monument set within a stone wall, at land, now or formerly, of Gilbert C. Williams and at a point in an arc forming the southwesterly layout line of the 1934 Worcester County Record Layout of Justice Hill Road Cutoff, said drill hole marking the northernmost point of the parcel herein being described, shown as "Lot 2" on an engineered survey plan referenced at the conclusion of this description;

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Thence Southwesterly, by the line of the highway, along the arc of a curve to the left, having a radius of 470.00 feet, an arc distance of 79.03 feet to a Worcester County Highway bound found, said arc being subtended by a central angle of 09° 38′ 04";

Thence S. 13° 30′ 35" W., by the line of the highway, 276.36 feet, to an MDC concrete bound set at the northernmost point of "Lot 1" other land, now or formerly, of Bruce S. & Janet R. Baker, excluded from the provisions of this instrument of taking;

Thence S. 53° 34′ 53" W., 695.58 feet, by "Lot 1", to another MDC concrete bound set at the southwesterly corner of this excluded lot;

Thence S. 36° 25′ 07" E., 120.00 feet, by "Lot 1", to another MDC concrete bound set at an angle point;

Thence S. 55° 36′ 10" E., 275.00 feet, by "Lot 1", to a drill hole found in a stone wall, said drill hole marking the property line between two parcels of land, now or formerly, of Christopher S. & Christen A. Bussiere, and of Michael T. & Patricia A. Walsh;

Thence S. 15° 58′ 30" W., 17.86 feet, by the stone wall, to a point;

Thence S. 16° 29′ 00" W., 213.11 feet, by the stone wall, to a drill hole set;

Thence S. 17° 12′ 40" W., 292.92 feet, by the stone wall, to a drill hole found, the last three courses being by land, now or formerly, of the abovesaid Walsh et ux;

Thence S. 14° 54′ 19" W., 127.61 feet, by the stone wall, partially by land, now or formerly, of Walsh and partially by land, now or formerly, of S. David Polewarczyk, to a drill hole found in a corner of the wall, said drill hole marking the property line between lands, now or formerly, of Polewarczyk and land, now or formerly, of Robert P. & Regina A. Laporte;

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Thence S. 73° 46′ 36′ E., 191.41 feet, by the wall and land, now or formerly, of the abovesaid Laporte et ux, to another drill hole found in a corner of stone walls at land, now or formerly, of Roland Morin & Martha L. Burlingame;

Thence S. 17° 46′ 17" W., 162.71 feet, by the stone wall, to a drill hole set;

Thence S. 19° 43′ 08" W., 393.81 feet, by the stone wall, to a drill hole found;

Thence S. 17° 39′ 01" W., 282.17 feet, by the stone wall, to another drill hole found;

Thence S. 06° 57′ 19" W., 328.46 feet, by the stone wall, to a drill hole set;

Thence S. 08° 15′ 42" W., 235.12 feet, by the stone wall, to a drill hole set;

Thence S. 08° 58′ 23" W., 208.84 feet, by the stone wall, to a drill hole found at a junction of walls, at land, formerly of Davis Farms Trust, now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last six courses being by land, now or formerly, of the aforesaid Morin & Burlingame;

Thence S. 70° 23′ 54" W., 165.43 feet, by the stone wall, to a drill hole set at the end of the wall;

Thence N. 66° 52′ 50" W., 989.31 feet, to a drill hole set;

Thence N. 07° 06′ 33" E., 199.58 feet, to a drill hole set;

Thence N. 31° 58′ 37" W., 412.73 feet, to a drill hole found;

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Thence N. 22° 18′ 38" W., 242.36 feet, crossing Justice Brook, to a bound set in a stone wall, at land, now or formerly, of Rexford Van Norman Baker, said bound being located approximately 40 feet northeasterly of the Princeton-Sterling Witness Bound #2 marking the joint corporate boundry line, the last five courses being by land, formerly of Davis Farms Trust, now of the Commonwealth of Massachusetts, MDC;

Thence N. 31° 39′ 24" E., 245.64 feet, by the stone wall, to a drill hole set;

Thence N. 31° 18′ 44" E., 384.88 feet, by the stone wall, to a drill hole set;

Thence N. 31° 00′ 36" E., 396.33 feet, by the stone wall, to a drill hole set;

Thence N. 33° 34′ 24" E., 332.18 feet, by the stone wall, crossing a gap in the wall, and continuing by the wall, to a concrete bound set at an angle in the wall, at land, now or formerly, of Michael L. & Judith E. Petit, the last four courses being by land, now or formerly, of the aforesaid Rexford V.N. Baker;

Thence S. 51° 25′ 36" E., 111.43 feet, to a concrete bound set near the westerly bank of Justice Brook;

Thence On the same bearing, 26 feet, more or less, to a point in the centerline of Justice Brook;

Thence Northerly and upstream, by the centerline of Justice Brook, 1,041 feet, more or less, to a point at land, now or formerly, of Ernest R. & Natalie E. Williams, the last three courses being by land, now or fromerly, of the aforesaid Petit et ux;

Thence S. 85° 01′ 57" E., 13 feet, more or less, to a concrete bound set near the easterly bank of Justice Brook;

Thence On the same bearing, 160.00 feet to a concrete bound set;

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Thence N. 76° 45′ 53" E., 119.46 feet to another concrete bound set;

Thence N. 46° 30′ 53" E., 67.98 feet to a point;

Thence N. 50° 30′ 53" E., 45.06 feet to a drill hole set at the end of a stone wall, at land, now or formerly, of the above referenced Gilbert C. Williams, the last four courses being by land, now or formerly, of the aforesaid E. R. & N. E. Williams;

Thence On the same bearing, 34.50 feet, by the stone wall, to another drill hole set;

Thence N. 54° 12′ 13" E., 84.47 feet, by the stone wall, to a drill hole set;

Thence N. 56° 57′ 50" E., 74.09 feet, by the stone wall, to a drill hole set;

Thence N. 31° 01′ 28" E., 17.95 feet, by the stone wall, to a drill hole set;

Thence N. 09° 32′ 22" E., 16.34 feet, by the stone wall, to a drill hole set;

Thence N. 28° 07′ 45" E., 15.44 feet, by the stone wall, to a drill hole set;

Thence N. 36° 53′ 14" E., 53.35 feet, by the stone wall, to a drill hole set;

Thence N. 47° 27′ 48" E., 31.13 feet, by the stone wall, to a drill hole set;

Thence N. 34° 21′ 41" E., 9.15 feet, by the stone wall, to the first mentioned MDC concrete bound set within the stone wall, and in the southwesterly layout line of Justice Hill Road Cutoff, being the point and place of beginning, the last nine courses being by land, now or formerly, of the aforementioned G.C. Williams.

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Containing 70.6 acres, more or less, and shown as "Lot 2" upon a survey plan entitled "Commonwealth of Massachusetts Metropolitan District Commission, Division of Watershed Management, Sterling (Worcester County), MA, Land Taking Plan For Watershed Protection", dated January 1997, and prepared by James E. Gaffney Company, which plan is recorded with Worcester District Registry of Deeds as Plan 122 in Plan Book 712.

Let it be noted that the remaining excluded property of the supposed owners listed below, shown upon the above cited plan as "Lot 1", was increased in size prior to this taking through the purchase of a ninety-four (94) square foot adjoining parcel, with five feet of frontage on Justice Hill Road Cutoff, from Christopher S. & Christen A. Bussiere. The deed for this parcel, instrument # 16278 of 1997, is recorded with said Deeds at Book 18615, Page 57. This added parcel is shown as "Parcel A" upon a plan entitled "Land In Sterling, MA Surveyed For Bruce S. & Janet R. Baker", dated February 1997, and prepared by James E. Gaffney Company, which plan is recorded with said Deeds as Plan 123 in Plan Book 712.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Justice Hill Road Cutoff and, or "Justice Brook" so-called which may be held by the supposed owners, as a result of their ownership of the above described property, and being the larger portion of the same premises described in a deed from Burton W. Morrison, Jr. et als to Bruce S. Baker and Janet R. Baker, dated February 4, 1977 and recorded with Worcester District Registry of Deeds at Book 6120, Page 78.

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The above described property is represented upon Sterling Assessors Tax Map 30 as most of Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Bruce S. Baker and Janet R. Baker	$ 150,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $150,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Miss Overton and Mr. McGinn, April 18, requesting approval of an Interagency Service Agreement (ISA) between the MDC and the Worcester County Conservation District to fund an intern to perform database development work under the Pure Water Stewardship Program within the Nashua and Chicopee River Basins in an amount not-to-exceed $10,210.00 - Project No. WM97-091-X1A. Miss Overton and Mr. McGinn further request authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.
Time for Performance - twelve months starting May 1, 1997.
Account No. 2420-1400.
The Commission V O T E D: to approve an Interagency Service Agreement (ISA) between the MDC and the Worcester County Conservation District to fund an intern to perform database development work under the Pure Water Stewardship Program within the Nashua and Chicopee River Basins in an amount not-to-exceed $10,210.00 - Project No. WM97-091-X1A.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the ISA on behalf of the Commission.

Adjourned at 10:15 a.m., to meet on Thursday, May 15, 1997, at 9:00 a.m.

William F. Cusick
S e c r e t a r y

Record of the Three Thousand Eight Hundred and Eleventh (3811th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 15, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 24, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated May 15, 1997, with HNTB, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridge, Contract No. PL95-036-D1A.

2. Contract No. P96-1784-C2A, dated May 15, with Jay Cashman, Inc., for Phase I Implementation, Rehabilitation of South Boston Beaches.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and DeLuca, April 29, recommending approval of the action of Deputy Director Faucher resulting in Extra Work Order No. 1, for installation of a new split and flanged balancing (surge) tank at the Hyde Park (Olsen) Pool - at a cost of $2,185.00, on Contract No. P96-1840-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pool and Installation of New Filtration, Water Treatment and Piping Systems at the Hyde Park (Olsen) Pool.
Account No. 2440-0110.
The Commission V O T E D: to approve the action of Deputy Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P96-1840-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $2,185.00.

4. Report of Messrs. Faucher, Brooks and DeLuca, May 5, recommending the following on Contract No. P96-1840-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pool and Installation of New Filtration Water Treatment and Piping Systems at the Hyde Park (Olsen) Pool -
(a) That the Commission vote of March 27, 1997, awarding the filed sub-bid, in the sum of $22,499.40, for Item No. 005-000 - Miscellaneous Metals to Langton & Douglas Contracting, Inc., be rescinded, at the firm's request, due to a bonafide mathematical error in their calculations.
(b) That the Commission award the filed sub-bid for Item No. 005-000 - Miscellaneous Metals to Allied Weatherproofing Co., Inc., second low bidder, in the amount of $28,000.00, which will increase the cost of the contract by $5,500.60.

Funding available in Account No. 2440-0110.
The Commission V O T E D: to rescind its vote of March 27, 1997, awarding the filed sub-bid, in the sum of $22,499.40, for Item No. 005-000 - Miscellaneous Metals, on Contract No. P96-1840-C1A, to Langton & Douglas Contracting, Inc., at the firm's request, due to a bonafide mathematical error in their calculations.
The Commission further V O T E D: to award the filed sub-bid for Item No. 005-000 - Miscellaneous Metals to Allied Weatherproofing Co., Inc., second low bidder, in the amount of $28,000.00, as recommended by Messrs. Faucher, Brooks and DeLuca in their report of May 5, 1997.

1. Report of Messrs. Faucher and McCalla, April 30, recommending approval of revisions in quantities on the following items on Contract No. P96-1821-M1A, with Boston Edison Company, for Maintenance of Street Lighting Systems on MDC Parkways, Roadways and Properties -

Item No. 002-010	**$ 2,064.00**
Street Light KD (Alum.)	
Item No. 031-010	**$ 969.00**
H.P.S. Lamp 250 Watt	
Item No. 051-010	**$ 6,145.00**
Mercury Vapor Fixture 250 Watt	
Item No. 054-010	**$ 3,502.00**
H.P.S. Historic Pendant Fixture 250 Watt	
Item No. 061-010	**$27,500.00**
Hourly Labor Rate for Helper	
Item No. 062-010	**$20,000.00**
Hourly Rate for Vehicle	
Item No. 067-010	**$ 8,000.00**
Traffic Control Services	
	Total - $68,180.50

(At no increase in Contract cost as the revisions will be offset by unused quantities in other items).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Abounaja, May 7, requesting approval of the following on Contract No. P82-1120-D1A, with Sasaki, Inc., for Drainage and Irrigation System Rehabilitation for Ponkapoag Golf Course -

(a) An increase in scope of work for preparation of an Environmental Impact Report to evaluate potential impact and to investigate alternatives to preserve environmental values of the Area of Critical Environmental Concern - at a cost of $110,990.63.
(b) An increase in the optional services item, in the amount of $39,009.37, to provide for any unforeseen work that might become necessary.

Total Cost - $150,000.00.

Account No. 2440-9844.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Abounaja in their report of May 7, 1997.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Abounaja, May 1, on bids for Contaminated Site Cleanup at Various MDC Facilities, Contract No. P95-1789-C3A.
(Messrs. Faucher and Abounaja recommend acceptance of the lowest bid received, that of Zenone, Inc., of $2,070,790.00).
The Commission V O T E D: to accept the lowest bid received, that of Zenone, Inc., of $2,070,790.00.

2. Report of Messrs. Faucher and Haider, April 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1909-M1A, for Maintenance, Service and Repair to HVAC Systems at Various Flood Control Navigation Sites.
Estimated Cost $55,000.00.
Time for Performance - twelve months.
Funding subject to appropriation in FY/98.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1909-M1A, for Maintenance, Service and Repair to HVAC Systems at Various Flood Control Navigation Sites.

3. Report of Messrs. Faucher and Haider, April 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1910-M1A, for Service to Underwater Structure at Various Flood Control/Navigation Sites.
Estimated Cost $48,000.00
Time for Performance twelve months.
Funding subject to appropriation in FY/98.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project P97-1910-M1A, for Service to Underwater Structure at Various Flood Control/Navigation Sites.

4. Report of Messrs. Faucher and Haider, April 28, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1911-M1A, for Service to Hydraulic Power Systems at Various Flood Control/Navigation Sites.
Estimated Cost - $30,000.00.
Time for Performance - twelve months.
Funding subject to appropriation in FY/98.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project P97-1911-M1A, for Service to Hydraulic Power Systems at Various Flood Control/Navigation Sites.

5. Report of Messrs. Faucher and Sacco, May 8, on bids for Boston Harbor Beaches Winthrop Seawall Repairs, Winthrop/Revere. Contract No. P97-1890-C1A.
(Messrs. Faucher and Sacco recommend acceptance of the lowest bid received, that of South Shore Paving Corp., of $122,020.00).
The Commission V O T E D: to accept the lowest bid received, that of South Shore Paving Corp., of $122,020.00.

1. Report of Messrs. Faucher and McCalla, May 9, on bids for Electrical, Electronic System Improvements at Various MDC Rinks. Contract No. P97-1902-C1A.
(Messrs. Faucher and McCalla recommend acceptance of the only bid received, that of Coviello Electric & General Contracting Company, Inc., of $371,000.00).
The Commission V O T E D: to accept the only bid received, that of Coviello Electric & General Contracting Company, Inc., of $371,000.00.
The Secretary then submitted the Contract No. P97-1902-C1A, dated May 15, 1997, with Coviello Electric & General Contracting Company, Inc., the Commissioner and four Associate Commissioners.

2. Report of Messrs. Faucher and Mayhew, May 9, on bids for Improvements to the William A. Connell Rink and Pool, Weymouth. Contract No. P97-1784-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of G.V.W., Inc., of $458,370.00).
It is further requested that the Commission execute the Contract.
The Commission V O T E D: to accept the lowest bid received, that of G.V.W., Inc., of $458,370.00.
The Secretary then submitted the Contract which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Lenhardt, May 9, on bids for Boston University Bridge Joint/Deck Repairs, Boston/Cambridge, Contract No. P93-1675-C1A.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of SPS New England, Inc., of $98,125.00).
The Commission V O T E D: to accept the lowest bid received, that of SPS New England, Inc., of $98,125.00).

4. Report of Mr. Faucher and Ms. Pfetsch, May 9, recommending approval of the request of D. Clancy & Sons, Inc., Contractor on Contract No. P94-1749-C1A, for Captain's House Renovations Blue Hills Reservations, Milton, to engage the services of Metro Insulation, Inc., to install blown in insulation at a value of $3,489.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Jackson, April 28, recommending approval of the following Extra Work Orders on Contract No. P95-1784-C1A, with A. W. Paine Construction Corp., for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston -

Extra Work Order No. 3 -	Chain Link Fence Removal	- $1,716.83
Extra Work Order No. 4 -	Wall Patching	- $1,477.31
Extra Work Order No. 5 -	Remove Unsuitable Soils	- $1,500.00
Extra Work Order No. 6 -	Steel Angles for Pedestrian Ramps	- $1,043.00
	TOTAL	= $5,737.14

(At no increase in Contract cost as the Extra Work will be offset by unused quantities in removal of lead paint).

The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $1,716.83.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $1,477.31.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $1,500.00.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $1,043.00.

1. Report of Messrs. Faucher and Sacco, February 18, recommending approval of the action Acting Director Faucher on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway, Winchester, resulting in revisions in quantities and extra work order, as follows -

Revisions in Quantities

023-010 - Engineer's Office	- $3,500.00
038-030 - Warning Signs	- $ 459.00
038-040 - Sign Support	- $ 315.00
045-010 - Police Services	- $5,000.00
TOTAL =	**$9,274.00**

Extra Work Order No. 10

Replacement of Private Residence Driveway, Heat Coils Damaged as a Result of Construction	- $9,369.22
TOTAL =	**$9,369.22**

(At no increase in Contract cost due to underruns in other items).
Messrs. Faucher and Sacco further recommend an Extension of Time from October 31, 1996 to May 31, 1997.
The Commission V O T E D: to approve the Revisions in Quantities, in the amount of $9,274.00.
The Commission further V O T E D: to approve Extra Work Order No. 10, in the amount of $9,369.22.
The Commission further V O T E D: to approve an Extension of Time from October 31, 1996 to May 31, 1997, as recommended by Messrs. Faucher and Sacco, in their report of February 18, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Mr. Faucher and Ms. Pfetsch, May 9, recommending approval of Alteration No. 1, for substituting, furnishing and installation of a Murdock Drinking Fountain, at a cost of $2,197.97, in place of a Halsey Taylor model, which costs $1,310..00, an increase of $887.97 on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations. The project team believes it is important to install a more historically accurate model for this 1900 vintage house. Account No. 2440-8952.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Sacco, May 8, recommending approval of the request of the contractor for Alteration No. 1, to install a double wall stainless steel chimney in lieu of a standard flue

pipe, at the Waltham Pool, at a cost of $2,012.63, on Contract No. P96-1842-C1B, with Allied Weatherproofing Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings. (At no increase in Contract cost as the Alteration will be offset by unused quantities in Item 004-001).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Sacco, May 8, recommending approval of the request of the contractor for Alteration No. 1, to install a double wall stainless steel chimney in lieu of a standard flue pipe, at the Waltham Pool, at a cost of $2,012.63, on Contract No. P96-1842-C1B, with Allied Weatherproofing Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings. (At no increase in Contract cost as the Alteration will be offset by unused quantities in Item 004-001).
The Commission V O T E D: Approved.

2. Report of Miss Overton and Messrs. Faucher and Haider, May 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1907-C1A, for Installation of a 10" Sewage Line in Hull, Central Services Complex.
Estimated Cost - $125,000.00.
Time for Performance - approximately four months.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1907-C1A, for Installation of a 10" Sewage Line in Hull, Central Services Complex.

3. Report of Messrs. Faucher, Brooks and DeLuca, May 12, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P95-1790-M1A, with Allied Weatherproofing Company, Inc., Service and Repairs to Swimming Pools and Service Buildings -

Item No. 001-003	Communication Services	- $5,524.28
Item No. 002-005	Saw Cutting Bituminous Concrete	- $1,863.00
Item No. 002-006	Saw Cutting Cement Concrete	- $ 93.00
Item No. 002-007	Remove & Dispose of Cement Concrete Decks & Walks	- $ 310.00
Item No. 002-010	Bituminous Concrete Removal	- $5,690.00
Item No. 002-101	New 6' Chain Link Fence	- $1,500.00
Item No. 002-102	New 6' X 12' Double Leaf Gate	- $ 600.00
Item No. 003-001	New Cement Concrete Decks & Walks	- $ 775.00
Item No. 003-003	New Bituminous Concrete	-$15,044.40
Item No. 007-003	Emergency Repairs to Recirculation Pumps & Motors	-$25,567.88
Item No. 007-004	Emergency Repairs to Sump Pumps & Motors	- 4,626.26
Item No. 008-001	Parts & Materials	-$50,695.61
	TOTAL	$112,289.43

Account No. 2440-0110.
The Commission V O T E D: Held Over.

1. Report of Messrs. Faucher and Mayhew, May 9, on bids for Demolition of the Peter J. Kelly Ice Skating Rink, Jamaica Plain. Contract No. P97-1883-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of M.R.P. Site Development, Inc., of $65,000.00).
The Commission V O T E D: to accept the lowest bid received, that of M.R.P. Site Development, Inc., of $65,000.00.

2. Report of Messrs. Faucher, Brooks and Haider, May 12, recommending approval of the following on Contract No. P97-1878-M1A, with HVAC Engineering, Inc., for Maintenance of HVAC Systems at Various MDC Facilities -
(a) An extension of time from July 8, 1997 to September 30, 1997, pending award of another two-year maintenance contract.
(b) Revisions in quantities
Item No. 001-010-Std. Labor - $2,000.00
Item No. 002-010-Materials - $4,000.00
Total = $6,000.00
Funding from Account No. 2440-0010.
The Commission V O T E D: to approve an extension of time from July 8, 1997 to September 30, 1997, as recommended by Messrs. Faucher, Brooks and Haider in their report of May 12, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $6,000.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, April 28, recommending approval for WES Construction Corp., general contractor, on Contract No. WM93-060-C1A, for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough, to engage the services of Foye & Letendre Landscaping, Inc., as sub-contractor for Item No. 02900.1 - Landscaping, loaming, seeding and grading, at a cost of approximately $6,000.00.
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Kane in their report of April 28, 1997.

4. Report of Messrs. McGinn and Misslin, May 1, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM97-078-C1A, for Sewer and Drain Line Installation, MDC Wilson Street Maintenance Yard, Clinton.
Estimated Cost - up to $50,000.00
Time for Performance - two months after notice to proceed.
Account No. - 2420-1440.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. WM97-078-C1A, for Sew and Drain Line Installation, MDC Wilson Street Maintenance Yard, Clinton.

1. Report of Messrs. McGinn and Robert O'Connor, May 8, requesting approval of an extension of time from June 30, 1997 to June 30, 1998, on Contract No. WM96-076-S1A, with Berkshire Pioneer "RC&D" (resource development and development area) Inc., for Private Forest Management, Restoration and Planning, due to the need for expansion of Landowner outreach to the Ware River and Quabbin Watersheds.
(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Robert O'Connor in their report of May 8, 1997.

2. Report of Mr. McGinn, May 2, requesting approval of an Amendment of funding and scope of services for Contract No. WM97-076-S3A, with Daylor Consulting Group, Inc., for Phase II of the Land Analysis and Planning for Mason Homestead. The amendment of the scope of services will include adding Phase I and II services for an additional 60 acres of land and increasing the total contract amount from $10,000.00 to $15,840.00.
Mr. McGinn further requests that Commissioner Balfour be authorized to execute the Amendment on behalf of the Commission.
Funding from Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: To authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

3. Report of Mr. McGinn, May 8, requesting renewal of Contract with Ronald E. Sharpin, Ph.D., P.E., for Services as Wastewater Program Manager.
Cost not-to-exceed - $55,000.00.
Time for Performance - July 1, 1997 through June 30, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of May 8, 1997.

4. Report of Mr. McGinn and Ms. McGrath, May 9, requesting approval of an extension of time from June 30, 1997 to September 30, 1997, on Contract No. WM95-088-S1A, with Pickett & Miyares, for West Boylston Subdivision Regulation, due to the need for a thorough review of documents, further meetings and a public hearing.
Mr. McGinn and Ms. McGrath further request that the Commission execute the Amendment.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated May 15, 1997, to Contract No. WM95-088-S1A, with Pickett & Miyares, for West Boylston Subdivision Regulation, which was signed by the Commissioner and four Associate Commissioners.

5. Report of Mr. McGinn, May 8, requesting approval of an extension of time from June 30, 1997 to December 30, 1997, on Contract No. WM95-059-S1A, with Brackett & Lucas, for Model On-site Waste Management District, due to the need for additional work on the project.
(At no increase in Contract cost)
Mr. McGinn further requests authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of May 8, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

1. Report of Messrs. McGinn and Baratta, May 12, recommending approval of the request of Roads Construction, general contractor on Contract No. WM95-061-C1A, to engage the services of the following sub-contractors, for Fast Track Sewer System, West Boylston/Holden.

Sub-Contractors	Description of Work	Amount
Patriot Excavation Drilling & Plating	Blasting	$358,000.00
Daisy Electric Company	Electrical	$270,000.00
Pumping Systems, Inc.	Pump Installation	$ 54,000.00
Winston Builders Corporation	Pumping Station Construction	$1,149,389.00

The Commission V O T E D: Approved as requested by Messrs. McGinn and Baratta in their report of May 12, 1997.

Action was taken upon the following Various Matter:

2. Report of Mr. Jewett, May 12, recommending approval and authorization for Commissioner Balfour to execute on behalf of the Commission, the following two (2) Contract-Agreements for Town Brook Flood Control Project - Professional Real Estate, Title Examination Services - FY97 - Engineering and Construction Division -

Name	Value	Parcels
George S. Norton, Esq.	$1,850.00	15
Nancy Mahoney Harris, Esq.	$3,000.00	30

Account No. 2440-8884.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract-Agreements with George S. Norton, Esq. and Nancy Mahoney Harris, Esq., for Town Brook Flood Control Project - Professional Real Estate, Title Examination Services - FY97 - Engineering and Construction Division.

Adjourned at 10:50 a.m., to meet on Wednesday, May 21, 1997, at 10:00 a.m.

William F. Cheshire
S e c r e t a r y

Record of the Three Thousand Eight Hundred and Twelfth (3812th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesay, May 21, 1997 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on May 1, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher, Brooks and DeLuca, May 12, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P95-1790-M1A, with Allied Weatherproofing Company, Inc., Service and Repairs to Swimming Pools and Service Buildings -

Item No. 001-003	Communication Services	- $5,524.28
Item No. 002-005	Saw Cutting Bituminous Concrete	- $1,863.00
Item No. 002-006	Saw Cutting Cement Concrete	- $ 93.00
Item No. 002-007	Remove & Dispose of Cement Concrete Decks & Walks	- $ 310.00
Item No. 002-010	Bituminous Concrete Removal	- $5,690.00
Item No. 002-101	New 6' Chain Link Fence	- $1,500.00
Item No. 002-102	New 6' X 12' Double Leaf Gate	- $ 600.00
Item No. 003-001	New Cement Concrete Decks & Walks	- $ 775.00
Item No. 003-003	New Bituminous Concrete	-$15,044.40
Item No. 007-003	Emergency Repairs to Recirculation Pumps & Motors	-$25,567.88
Item No. 007-004	Emergency Repairs to Sump Pumps & Motors	- 4,626.26
Item No. 008-001	Parts & Materials	-$50,695.61
	TOTAL	$112,289.43

Account No. 2440-0110.
The Commission V O T E D: Held Over for further review.

2. Report of Mr. Faucher and Mrs. Graves-Jones, May 13, requesting approval of a revision in quantities on Item No. 004-030 - for Labor Rate Helper for Miscellaneous Repairs - at a cost of $15,750.00, on Contract No. P96-1836-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Control).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Haider, May 5, recommending the following on Contract No. P96-1817-C1A, with P. H. Mechanical Corp., for Capital Improvements or Major Replacement of HVAC Systems (Including Hot Water & Make Up Air) -
(a) That work be accepted as completed as of January 27, 1997.
(b) That Estimate No. 7 (Final), in the amount of $10,203.18, be approved for payment.

(c) That reserve, in the amount of $27,235.36, be approved for payment.
(Basis of Award - $487,000.00)
(Amount to Date - $544,707.27)
(Contract Performance Rating - 4.00)
(EEO Compliance - 3.17)

The Commission V O T E D: that the work of P. H. Mechanical Corp., Contractor under Contract No. P96-1817-C1A, be and hereby is accepted as completed as of January 27, 1997.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $10,203.18, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $27,235.36, for payment.

1. Report of Messrs. Faucher and Kirwin, May 13, recommending approval of Amendment No. 3 to Contract-Agreement No. P92-1626-D1A, with Bruce Campbell & Associates, Inc., for Professional Traffic Engineering Services, which extends the completion date from July 31, 1997 to December 31, 1998, in order to complete assignment No. 11 and Assignment No. 12.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and DeLuca, May 8, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for exposing and repairing the existing refill inlet supply fittings and adaptors at the Malden (Holland) and Everett (Allied Vets.) Pools, at a cost of $4,725.30, on Contract No. P97-1885-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pools and Installation of New Filtration Water Treatment and Piping Systems at the Malden (Holland) and Everett (Allied Vets.) Pools.
(Account No. 2440-0110)
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1885-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pools and Installation of New Filtration Water Treatment and Piping Systems at the Malden (Holland) and Everett (Allied Vets.) Pools.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $4,725.30.

3. Report of Messrs. Faucher and Machado, May 14, recommending approval of the request of South Shore Fence Company, Inc., Contractor on Contract No. P96-1862-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan Park Systems, for a revision in quantities on Item No. 058-010 - Galvanized C.L.F. 6 Ft. High - at a cost of $790.50.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 088-010, Traffic Control Services).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Jackson, May 14, recommending

approval of Extra Work Order No. 1, for purchase and installation of a drinking fountain and manhole, at a cost of $4,815.45, on Contract No. P97-1875-C1A, with Ledgewood Construction Co., Inc., for Reconstruction of John H. Dooley Playground, Hyde Park.
Account No. 2440-8952.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $4,815.45.

1. Report of Messrs. Faucher, Brooks and DeLuca, May 15, recommending approval of the action of Acting Director Faucher resulting in Extra Work Order No. 2, for relocating the proposed new main pool drain to waste line connection at the Malden (Holland) Pool, at a cost of $7,603.05, on Contract No. P97-1885-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pools and Installation of New Filtration, Water Treatment and Piping Systems at the Malden (Holland) and Everett (Allied Veterans) Pools, and further an extension of time from June 20, 1997 to June 28, 1997, to complete the additional work.
Account No. 2440-0110.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 2, on Contract No. P97-1885-C1A, with Allied Weatherproofing Co., Inc., for Rehabilitation of the Main Pools and Installation of New Filtration Water Treatment and Piping Systems at the Malden (Holland) and Everett (Allied Veterans) Pools.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $7,603.05.
The Commission further V O T E D: to approve an extension of time from June 20, 1997 to June 28, 1997, as recommended by Messrs. Faucher, Brooks and DeLuca in their report of May 15, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and Haider, May 19, recommending that Davidson Co., Inc., be permitted to withdraw their low bid of $341,240.00, with the Commission retaining their bid bond, in the amount of 5% of their bid - ($17,062.00), on Contract No. P97-1895-C1A, for Installation of H.V.A.C. Systems at the Bajko, Bryan and Connery Ice Skating Rinks.
Messrs. Faucher, Brooks and Haider further recommend acceptance of the second lowest bid received, that of P. J. Kennedy and Sons, Inc., in the sum of $426,300.00.
In response to a series of questions posed by Associate Commissioner Carr, Mr. Brooks explained that Davidson Co., Inc., had sent the Commission letters on May 7, 1997 and May 13, 1997, requesting that their bid for the Contract be withdrawn due to a $54,000.00 error in their proposal. Mr. David P. Cacciola, Jr., President of Davidson Co., Inc., cited a substantial clerical error in their bid proposal.
Mr. Brooks then explained that he and Messrs. Jewett and Faucher met with Mr. Cacciola on May 16, 1997, concerning the request for bid withdrawal. Mr. Brooks said that the contractor could not substantiate that a bonafide clerical error was made in

preparation of the bid. Therefore, he noted the MDC group was recommending that the Commission retain the bid security of $17,062.00.
Noting that there would be no Commission Meeting next week, and with the need to start work on the Contract as soon as possible, the Commission V O T E D:
To accept the report of Messrs. Faucher, Brooks and Haider.
To allow Davidson Co., Inc., to withdraw their bid.
To retain the bid bond of Davidson Co., Inc., in the amount of 5% of their bid of $341,240.00, which amounts to $17,062.00.
If Davidson Co., Inc., can present the Commission with documentation indicating that a bonafide clerical error was made, their bid bond will be released by the Commission.
(This documentation must be presented to the Commission for the Meeting of June 5, 1997).
The Commission further V O T E D: to accept the second lowest bid received, that of P. J. Kennedy and Sons, Inc., in the sum of $426,300.00.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. McGinn, May 9, requesting approval of an extension of time from June 13, 1997 to October 31, 1997, on Contract No. WM94-008-C1A, with S.J.V. Electric, Inc., to Furnish and Install Emergency Electrical Generation and Associated Work at Quabbin Administration Complex, Belchertown.
(At no increase in Contract cost at this time).
The Commission V O T E D: to approve an extension of time from June 13, 1997 to October 31, 1997, on Contract No. WM94-008-C1A, as requested by Mr. McGinn in his report of May 9, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. McGinn and Kane, May 14, requesting approval of an extension of time from June 30, 1997 to October 31, 1997, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1997 to October 31, 1997, on Contract No. WM93-060-C1A, as requested by Messrs. McGinn and Kane in their report of May 14, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. McGinn and Kane, April 29, requesting approval of Alteration No. 1, to remove a portion of a manhole and install four foot diameter precast concrete riser sections, flat roof section, and re-install the existing frame and cover - instead of extending an existing drain manhole to meet new ground surface elevation - at an increased cost of $2,292.00, on Contract No.

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WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
Account No. 2422-1442.
The Commission V O T E D: to approve Alteration No. 1, in the amount of $2,292.00, as recommended by Messrs. McGinn and Kane.

1. Report of Messrs. McGinn and Kane, April 29, requesting approval of Extra Work Order No. 1, for replacement of an underground drainage structure, at a cost of $2,466.00, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $2,466.00.

2. Report of Messrs. McGinn and Kane, April 30, requesting approval of Extra Work Order No. 2, work involved in abandoning in place an existing cesspool, at a cost of $3,257.00, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 2, in the amount of $3,257.00.

3. Report of Messrs. McGinn and Kane, May 9, requesting approval of Alteration No. 2, to relocate the field offices to the opposite side of the downstream spillway channel, which resulted in the need to bring in power from an alternate source - in place of the original location to the right downstream side of the spillway channel with electrical power supplied from an adjacent MWRA facility, at a cost of $4,262.73, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
Account No. 2422-1442.
The Commission V O T E D: to approve Alteration No. 2, in the amount of $4,262.73, as requested by Messrs. McGinn and Kane.

4. Report of Messrs. McGinn and Kane, May 9, requesting approval of Alteration No. 3, rehabilitation of the eight (8") cast-iron pipe in lieu of replacement, at a cost of $6,851.00, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough.
(At no additional Contract cost since there are sufficient funds in Item No. 02722.2 to offset the Alteration).
The Commission V O T E D: to approve Alteration No. 3, in the amount of $6,851.00, as requested by Messrs. McGinn and Kane.

Action was taken upon the following matters relating to the Office of Planning:

5. Report of Mrs. O'Brien and Mr. Driscoll, May 9, recommending the

following on Contract No. PL96-040-D1A, with Aquatic Control Technology, Inc., for Nuisance Aquatic Vegetation Management Program - Charles River Lakes District -
(a) That work be accepted as completed as of December 24, 1996.
(b) That Estimate No. 5 (Final), in the amount of $2,989.80, be approved for payment.
(c) That reserve, in the amount of $5,500.00, be approved for payment.

(Basis of Award - $55,000.00)
(Amount to Date - $55,000.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent).
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. PL96-040-D1A, be and hereby is accepted as completed as of December 24, 1996.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $2,989.80, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $5,500.00, for payment.

1. Report of Mrs. O'Brien and Mr. Haglund, May 16, requesting approval of an extension of time from June 1, 1997 to June 1, 1998, on Contract No. P82-1022-D1A, with Carr, Lynch and Sandell, Inc., for New Charles River Basin Planning and Design Services. Mrs. O'Brien and Mr. Haglund further request execution of the Amendment by the Commission.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated May 21, 1997, to Contract No. P82-1022-D1A, with Carr, Lynch and Sandell, Inc., which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, May 19, requesting that the Commission affirm the earlier vote of May 1, 1997, and recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.466 acres of land owned by David R. Grace, Trustee of North Shore Realty Trust, located in the Cities of Cambridge and Boston, Massachusetts, and to approve an award of damages in the amount of $2,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A, provided that $1,600,000.00 is withheld from that amount until environmental remediation is completed on the site in accordance with regulations promulgated by the State Department of Environmental Protection, and further provided that any and all judgments, claims, costs, including relocation costs under General Laws Chapter 79A, and fees arising from or by operation of the recordation of this Order of Taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in

the New Charles River Basin.
Account No. 2449-0005.
The Commission V O T E D: to affirm the earlier vote of May 1, 1997, and adopt an Order of Taking for acquisition of approximately 2.466 acres of land owned by David R. Grace, Trustee of North Shore Realty Trust, located in the Cities of Cambridge and Boston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $2,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, sections 6, 12, 39 and 44A, provided that $1,600,000.00 is withheld from that amount until environmental remediation is completed on the site in accordance with regulations promulgated by the State Department of Environmental Protection, and further provided that any and all judgments, claims, costs, including relocation costs under General Laws Chapter 79A, and fees arising from or by operation of the recordation of this Order of Taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 21, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described two (2) certain parcels of land situated in the Cities of Cambridge and Boston in the respective Counties of Middlesex and Suffolk and Commonwealth of Massachusetts, namely:

Parcel 1.

The land with the buildings thereon situated partly in Cambridge, Middlesex County, and partly in Boston, Suffolk County, known as and numbered 61 Industrial Park Road, bounded and described as follows:

SOUTHWESTERLY By land now or formerly of the Boston & Maine Transportation Company, shown as Lot 3 on a plan entitled "Land in Cambridge, Boston, Mass., Leo M. Pistorino to Boston & Maine Transportation Company," dated August, 1961, and recorded with Suffolk Registry of Deeds in Book 7642, Page 57, and with Middlesex South District Registry of Deeds at the end of Book 9908, Six Hundred Six and 84/100 (606.84) feet;

NORTHWESTERLY By the line of an access driveway shown on said plan and by land now or formerly of the Boston & Maine Railroad by two lines measuring Thirty-nine and 73/100 (39.73) feet and One Hundred Eleven and 73/100 (111.73) feet;

NORTHEASTERLY By land now or formerly of the Boston & Maine Railroad in two lines, Eighty-six and 83/100 (86.83) feet and Four Hundred Nineteen and 78/100 (419.78) feet;

NORTHWESTERLY Again by said land of the Boston & Maine Railroad Two Hundred Sixty-eight and 44/100 (268.44) feet;

NORTHEASTERLY Again by said land of the Boston & Maine Railroad One Hundred Thirty-seven and 16/100 (137.16) feet; and

SOUTHEASTERLY By the north face of the seawall along the Charles River by five lines measuring Sixty-seven and 41/100 (67.41) feet, One Hundred and 11/100 (100.11) feet, One Hundred and 15/100 (100.15) feet, One Hundred and 15/100 (100.15) feet, and Sixty-one and 63/100 (61.63) feet, respectively.

Parcel 2.

Also a parcel of land situated partly in said Cambridge and partly in said Boston which is that portion of the sea wall which abuts the above described parcel and is about three (3) feet in width, bounded

SOUTHEASTERLY By the Charles River;

NORTHEASTERLY By the boundary line One Hundred Thirty-seven and 16/100 (137.16) feet in length between land of the Grantee (as described above) and land of the Boston & Maine Railroad extended Southeasterly;

NORTHWESTERLY By the above-described land of the Grantee;

SOUTHWESTERLY By the boundary line between the land of the Grantee and land of the Boston & Maine Transportation Company extended Southeasterly.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Industrial Park Road which may be held by the supposed owners, and being the same premises described in a deed from John R. Swansburg to David R. Grace, Trustee of North Shore Realty Trust, said deed dated April 11, 1986, and recorded with Middlesex South District Registry of Deeds in Book 16192, Page 357, and with Suffolk Registry of Deeds in Book 12416, Page 35.

The above premises is said to contain approximately 2.466 acres, or approximately 107,420.6 square feet, according to an unrecorded plan of land dated January 23, 1985, entitled "Plan of Land in Boston & Cambridge, Mass. prepared for The Royce Corporation," by Otte and Dwyer, Inc., Surveyors, which plan is on file with the Real Property Office of the Metropolitan District Commission.

The above described property is represented upon Cambridge Assessors Tax Map 1A as Parcel 91, and upon Boston Assessors Tax Map as Ward 3, Parcel 1286.

The Commission hereby declares it necessary to withhold a portion of the pro tanto amount listed below, in the sum of $ 1,600,000.00, which sum shall be utilized to fund the environmental remediation required on the premises in accordance with and to the extent required by regulations promulgated by the state Department of Environmental Protection, with any monies remaining following the completion of such required remediation to be delivered to the supposed owners of record. The Commission hereby further provides that any and all judgments, claims, costs, including relocation costs required under Chapter 79A of the General Laws, as amended, and fees arising from or by operation of the recordation of this order of taking be paid solely and in full either from Account No. 2449-0005 or any successor account with funds dedicated to the acquisition, expansion, construction and improvement of North Point Park in the New Charles River Basin.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the City Manager of the City of Cambridge, and the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, are either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
David R. Grace, Trustee of North Shore Realty Trust	$ 2,000,000.00

Adjourned at 11:00 a.m., to meet on Thursday, June 5, 1997, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Thirteenth (3813th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 5, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on May 15, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P93-1675-C1A, dated June 5, 1997, with SPS New England, Inc., for Boston University Bridge Joint/Deck Repairs, Boston/Cambridge.

2. Contract No. P95-1789-C3A, dated June 5, 1997, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities.

3. Contract No. P97-1890-C1A, dated June 5, 1997, with South Shore Paving Corp., for Boston Harbor Beaches - Winthrop Seawall Repairs, Winthrop/Revere.

4. Contract No. P97-1883-C1A, dated June 5, 1997, with M.R.P. Site Development, Inc., for Demolition of the Peter J. Kelly Ice Skating Rink, Jamaica Plain.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and DeLuca, May 12, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P95-1790-M1A, with Allied Weatherproofing Company, Inc., Service and Repairs to Swimming Pools and Service Buildings -

Item No. 001-003	Communication Services	- $5,524.28
Item No. 002-005	Saw Cutting Bituminous Concrete	- $1,863.00
Item No. 002-006	Saw Cutting Cement Concrete	- $ 93.00
Item No. 002-007	Remove & Dispose of Cement Concrete Decks & Walks	- $ 310.00
Item No. 002-010	Bituminous Concrete Removal	- $5,690.00
Item No. 002-101	New 6' Chain Link Fence	- $1,500.00
Item No. 002-102	New 6' X 12' Double Leaf Gate	- $ 600.00
Item No. 003-001	New Cement Concrete Decks & Walks	- $ 775.00
Item No. 003-003	New Bituminous Concrete	-$15,044.40
Item No. 007-003	Emergency Repairs to Recirculation Pumps & Motors	-$25,567.88
Item No. 007-004	Emergency Repairs to Sump Pumps & Motors	- 4,626.26
Item No. 008-001	Parts & Materials	-$50,695.61
	TOTAL	$112,289.43

Account No. 2440-0110.
Associate Commissioner Carr noting that the information requested

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by the Commission concerning Item No. 001-003 - Communication Services - was not ready in time for today's meeting, moved that Item No. 001-003 be Held Over and, due to time constraints, that all other revisions in quantities be approved.
The Commission V O T E D: to Hold Over Item No. 001-003 - Communication Services - $5,524.28, for further information.
The Commission further V O T E D: to approve the revisions in quantities on the following -

Item No. 002-005	Saw Cutting Bituminous Concrete	- $1,863.00
Item No. 002-006	Saw Cutting Cement Concrete	- $ 93.00
Item No. 002-007	Remove & Dispose of Cement Concrete Decks & Walks	- $ 310.00
Item No. 002-010	Bituminous Concrete Removal	- $5,690.00
Item No. 002-101	New 6' Chain Link Fence	- $1,500.00
Item No. 002-102	New 6' X 12' Double Leaf Gate	- $ 600.00
Item No. 003-001	New Cement Concrete Decks & Walks	- $ 775.00
Item No. 003-003	New Bituminous Concrete	-$15,044.40
Item No. 007-003	Emergency Repairs to Recirculation Pumps & Motors	-$25,567.88
Item No. 007-004	Emergency Repairs to Sump Pumps & Motors	- 4,626.26
Item No. 008-001	Parts & Materials	-$50,695.61.

1. Report of Messrs. Faucher and Lespasio, May 21, recommending authorization for R. H. D. Construction Co., Inc., general contractor, to engage the services of Foye & Letendre, Inc., as sub-contractor for Sections 016, 020 and 021 - All Landscaping and Landscaping Related Work, at a cost of $316,877.43, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown.
(At no increase in Contract cost).
The Commission V O T E D: authorization for R. H. D. Construction Co., Inc., general contractor, to engage the services of Foye & Letendre, Inc., as sub-contractor for Sections 016, 020 and 021 - All Landscaping and Landscaping Related Work, at a cost of $316,877.43, on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, as recommended by Messrs. Faucher and Lespasio in their report of May 21, 1997.

2. Report of Messrs. Faucher and Haider, May 1, recommending the following on Contract No. P97-1873-C1A, with Master Contractors, Inc., for Replacement of Heating Boiler (Cronin Rink) and Domestic Hot Water (Devine Rink) -
(a) That work be accepted as completed as of January 18, 1997.
(b) That Estimate No. 2 (Final), in the amount of $39,582.37, be approved for payment.
(c) That reserve, in the amount of $7,648.80, be approved for payment.

(Basis of Award - $152,976.00)
(Amount to Date - $152,976.00)
(Contract Performance Rating - 5.00)
(EEO Compliance - 3.50)

The Commission V O T E D: that the work of Master Contractors, Inc., Contractor under Contract No. P97-1873-C1A, be and hereby

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accepted as completed as of January 18, 1997.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $39,582.37, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,648.80, for payment.

1. Report of Messrs. Faucher and Haider, May 5, recommending the following on Contract No. P97-1880-X1A, with Carriere, Inc., for Emergency Contract to Replace the Boiler System at the Amelia Earhart Dam Pump Station at Everett -
(a) That work be accepted as completed as of February 11, 1997.
(b) That reserve, in the amount of $1,429.00, be approved for payment.
(Basis of Award - $28,580.00)
(Amount to Date - $28,580.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Carriere, Inc., Contractor under Contract No. P97-1880-X1A, be and hereby is accepted as completed as of February 11, 1997.
The Commission further V O T E D: to approve reserve, in the amount of $1,429.00, for payment.

2. Report of Messrs. Faucher and Mayhew, May 30, on bids for Installation of New Roofs at the Msgr. William J. Daly Rink, Newton and the Alexander S. Bajko Rink, Hyde Park, Contract No. P97-1891-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Tar-Vel Roofing Company, Inc., of $111,000.00). The Commission V O T E D: to accept the lowest bid received, that of Tar-Vel Roofing Company, Inc., of $111,000.00.

3. Report of Messrs. Faucher and Mayhew, May 30, on bids for Demolition of the James E. Phelan Memorial Pool, West Roxbury, Contract No. P97-1892-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Great Northern Site Corp., of $32,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Great Northern Site Corp., of $32,000.00.

4. Report of Messrs. Faucher and Mayhew, May 30, on bids for Installation of New Roofing at the Rev. Romano Simoni Memorial Ice Skating Rink, Cambridge, Contract No. P97-1899-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Tar-Vel Roofing Company, Inc., of $251,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Tar-Vel Roofing Company, Inc., of $251,000.00.

5. Report of Messrs. Faucher and Mayhew, May 30, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 3 -
(a) for Consultant to prepare, Alternate areas to accommodate 4,219 square feet of wetlands - $384.60.

(b) raising a seatwalk - $1,607.22.
(c) removal of a chain link fence - $844.63,
on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
Account No. 2490-0017.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 3, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $2,836.45.

1. Report of Messrs. Faucher and Mayhew, May 30, recommending that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 4 - to repair the eroded area at the Watertown Dam Embankment with fill material - at a cost of $6,952.13, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
Account No. 2490-0017.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 4, on Contract No. PL92-017-C1A, with D & C Construction Company, Inc., for Upper Charles River Reservation Restoration - Phase I.
The Commission further V O T E D: to approve Extra Work Order No. 4, in the amount of $6,952.13.

2. Report of Messrs. Faucher and Mayhew, May 29, recommending that the Commission ratify the action of Acting Director Faucher resulting Extra Work Order No. 1 - for furnishing and installing stained pressure treated plywood over the exposed portion of the lower purlins on each side of the rink roof - at a cost of $1,553.00, on Contract No. P97-1869-C1A, with Capeway Roofing Systems, Inc., for Installation of New Roof over Rink Area, Francis L. Murphy Skating Rink, South Boston.
Account No. 2440-0110
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1, on Contract No. P97-1869-C1A, with Capeway Roofing Systems, Inc., for Installation of New Roof over Rink Area, Francis L. Murphy Skating Rink, South Boston.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $1,553.00.

3. Report of Mr. Faucher and Mrs. Pomorska, May 15, recommending approval of revisions in quantities on the following items on Contract No. P96-1837-M1A, with Coviello Electric and General Contracting Co., for Servicing Traffic Signals and Control Systems in Middlesex Fells and Revere Beach Districts -

Item No. 004-030 - Labor Rate for Helper	-	$10,500.00
Item No. 005-010 - Hourly Rate for Vehicle	-	$ 3,000.00
Item No. 017-010 - Detector Lead in Cable	-	$ 600.00
	Total =	$14,100.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-010, 003-010, 004-010, 011-010 and 011-020).
The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Mrs. Graves-Jones, May 19, recommending approval of revisions in quantities on the following items on Contract No. P96-1822-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -

Item No. 001-010 - 4" Reflectorized Line (Paint)	-	$1,029.00
Item No. 002-010 - 6" Reflectorized Line (Paint)	-	$ 948.00
Item No. 003-010 - 4" Reflectorized Line (Thermo)	-	$7,975.00
	Total =	$9,952.00

(Funding from Account No. 2490-0012-NN).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, May 29, on bid for Contract No. P97-1904-C1A, Reconstruction of Entrance and Parking at Victory Road Park, Dorchester.
(Messrs. Faucher and Jackson recommend acceptance of the only bid received, that of Ledgewood Construction Co., Inc., of $62,075.00).
(They also request authorization for Commissioner Balfour to execute the Contract on behalf of the Commission).
The Commission V O T E D: to accept the only bid received, that of Ledgewood Construction Co., Inc., of $62,075.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract on behalf of the Commission.

3. Report of Messrs. Faucher and Terzian, May 30, requesting approval of the action of Acting Director Faucher in letting Emergency Contract No. P97-1912-C1A, to the low bidder, Great Eastern Marine Service, Inc., in the amount of $4,900.00, for Emergency Removal of Collapsed Portion of Peddock's Island Pier, Boston Harbor.
Account No. 2440-8885.
The Commission V O T E D: to approve the action of Acting Director Faucher in letting Emergency Contract No. P97-1912-C1A, to the low bidder, Great Eastern Marine Service, Inc., in the amount of $4,900.00, for Emergency Removal of Collapsed Portion of Peddock's Island Pier, Boston Harbor.

4. Report of Messrs. Faucher and Mayhew, May 22, on bids for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston, Contract No. P97-1894-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received that of G & R Construction, Inc., of $747,604.00).
They further request execution of the Contract by the Commission).
The Commission V O T E D: to accept the lowest bid received that of G & R Construction, Inc., of $747,604.00.
The Secretary then submitted for signature Contract No. P97-1894-C1A, dated June 5, 1995, with G & R Construction, Inc., which was signed by the Commissioner and three Associate Commissioners.

5. Report of Messrs. Faucher, Lenhardt and Miss Peterson, May 28, recommending the following on Contract No. P82-1054-D1A, with Edwards and Kelcey, Inc., for Engineering Services for Upgrading

and Rehabilitation of the MDC Charles Circle Bridges #57A and #57B, Boston -
(a) That work be accepted as completed as of December 31, 1996.
(b) That retainage, in the amount of $27,998.75, be approved for payment.
(Basis of Award - $206,000.00)
(Amount to Date - $279,987.27)
(Contract Performance Rating - 7.00 with 10.00 being excellent)
(EEO Performance Rating - N/A)
The Commission V O T E D: that the work of Edwards and Kelcey, Inc., Consultant under Contract No. P82-1054-C1A, be and hereby is accepted as completed as of December 31, 1996.
The Commission further V O T E D: to approve release of retainage, in the amount of $27,998.75, for payment.

1. Report of Messrs. Faucher, Brooks, Josh Kane and Mountjoy, May 30, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P97-1913-C1A, for Historic Stables Renovation New Charles River Basin.
Estimated Cost- $150,000.00.
Time for Performance - completion sixty days after notice to proceed.
Account No. 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Charles River Basin.

2. Report of Messrs. Faucher and Jackson, May 29, on bids for Construction of New Playground at Marine Park, South Boston, Contract No. P97-1908-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Ledgewood Construction Co., Inc., of $38,500.00).
The Commission V O T E D: to accept the lowest bid received, that of Ledgewood Construction Co., Inc., of $38,500.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, May 15, requesting approval of an Amendment to Contract No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Construction of Essential Remedial Repairs and Emergency Action Plan, Sudbury Dam, which extends the time of performance from June 30, 1997 to November 30, 1997, to allow time to complete drawings of the completed project.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

4. Report of Messrs. McGinn and Kane, May 28, recommending the following on Contract No. WM96-013-X1A, with Earth-Tech, Inc., for Compliance and Site Assessment Services, at the MDC - Wilson

St., Maintenance Yard in Clinton -
(a) That work be accepted as completed as of June 30, 1996.
(b) That Estimate No. 1 (Final), in the amount of $4,151.94, be approved for payment.
(c) That reserve, in the amount of $461.32, be approved for payment.
(Basis of Award - $4,725.00)
(Amount to Date - $4,613.26)
(Contract Performance Rating - 5.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Earth-Tech, Inc., Contractor under Contract No. WM96-013-X1A, be and hereby is accepted as completed as of June 30, 1996.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $4,151.94, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $461.32, for payment.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, April 24, requesting renewal and execution of Contract-Agreements with Messrs. Driscoll and Mountjoy for Planning Services Pursuant to Land Acquisition and Master Planning, as follows - Daniel Driscoll - at a cost not-to exceed $49,995.85. Time for Performance - July 1, 1997 to June 30, 1998. Account No. 2490-8915 of Chapter 33, Acts of 1991. Alan H. Mountjoy - at a cost not-to-exceed $49,995.85. Time for Performance - July 1, 1997 to June 30, 1998.
Account No. 2490-8915 of Chapter 33, Acts of 1991.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreements, dated June 5, 1997, with Daniel Driscoll and Alan H. Mountjoy, which were signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, June 2, on behalf of the Consultant Selection Committee, recommending approval of the selection of the Halvorson Company, Inc., for Contract No. N. PL97-045-D1A, for Design of Nashua Street Park Development, Boston.
Compensation - Estimated at $943,000.00, subject to final negotiations.
Time for Performance - Estimated at twenty eight months.
Account No. 2449-0002.
The Commission V O T E D: Approved.

3. Report of Mr. Jewett, June 2, on behalf of the Consultant Selection Committee, requesting approval of the selection of Aquatic Control Technology, Inc., for Contract No. PL96-040-D1A, for Mechanical Weed Harvesting Program - 1997, Charles River Lakes District - Newton, Waltham and Weston.
Compensation - $150,000.00.

Time for Performance - seven months.
Account No. 2440-0010.
Mr. Jewett further requests execution of the Contract by the Commission.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement No. PL96-040-D1A, dated June 5, 1997, with Aquatic Control Technology, Inc., for Mechanical Weed Harvesting Program - 1997, Charles River Lakes District - Newton, Waltham and Weston, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Jewett, June 2, on behalf of the Consultant Selection Committee, requesting approval of the selection of G & L Laboratories, for Contract No. P87-1449-M5A, for Analytical and Water Quality Testing at MDC Facilities.
Compensation - $80,000.00 for a two year period - $40,000.00 per year.
Funding - contingent upon sufficient funds being made available in Account No. 2440-0010 through the annual budgetary appropriation process.
The Commission V O T E D: Approved.

2. Report of Miss Overton and Mr. Jewett, June 2, requesting approval of an Amendment to the Administrative Consent Order with the Department of Environmental Protection (DEP) regarding the remediation of the Indian Line Farm Superfund Site, located at 2391 Washington Street, Canton, as follows -
(a) Complete implementation of an DEP approved Release Abatement Measure Plan.
(b) An a DEP approved Immediate Response Action Plan.
(c) Completion of a Phase II Comprehensive Site Assessment of the Site.
(d) and submitting of a Phase II Report for the site to DEP in accordance with 310 CMR 40-0830, and if applicable, a Phase III Remedial Action Plan for the Site.
At no increase in cost.
(Miss Overton and Mr. Jewett further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission).
The Commission V O T E D: to approve an Amendment to the Administrative Consent Order with the Department of Environmental Protection (DEP) regarding the remediation of the Indian Line Farm Superfund Site, located at 2391 Washington Street, Canton, as requested by Miss Overton and Mr. Jewett in their report of June 2, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Mr. Gray, May 30, recommending that the Commission adopt an Order of Taking for acquisition of approximately 11.18 acres of land owned by William Nebes III, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $105,000.00, together with such damages and

costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 11.18 acres of land owned by William Nebes III, located in the Town of West Boylston, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $105,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 5, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Malden Street in said Town of West Boylston and County of Worcester, more particularly bounded and described as follows:

Beginning at a point in a stone wall, on the southerly side of Malden Street, at the northeasterly corner of the parcel herein described, at other land, now or formerly, of William Nebes III;

Thence S. 22° 38′ 29" W., 155.40 feet, to a point;

Thence S. 20° 00′ 00" W., 450.00 feet, to a iron pin set at a corner;

Thence S. 49° 26′ 35" E., 260.29 feet, to an iron pin set at a corner, and land, now or formerly, of John E.

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Jr. & Kirsten M. Dawson, the last, three courses being by other land, now or formerly of Nebes;

Thence S. 14° 53′ 26" W., 562.89 feet to a drill hole found in a stone wall at a corner, at land, formerly of Donald L. Kilgour, now of the Commonwealth of Massachusetts, this course being by land, now or formerly, of Dawson;

Thence S. 81° 33′ 32" W., 118.10 feet by the stone wall, to a drill hole set;

Thence S. 05° 04′ 48" E., 316.85 feet by the stone wall, to a drill hole set at a corner of stone walls, at land, now or formerly, of Alfred N. Whiting et als, the last two courses being by land, formerly of Kilgour, now of the Commonwealth;

Thence S. 82° 45′ 39" W., 391.26 feet to a drill hole set at a corner of walls;

Thence S. 83° 06′ 45" W., 98.15 feet by the stone wall, to a drill hole set, at land, now or formerly, of Carl & Diane C. Haarman;

Thence N. 19° 21′ 30" E., 795.02 feet to a point;

Thence N. 20° 00′ 00" E., 1000 feet, to a point in the stone wall on the southerly side of Malden Street, the last two courses being by land, now or formerly, of Haarman;

Thence S. 80° 02′ 32" E., by the stone wall and Malden Street, 6.17 feet, to a drill hole;

Thence S. 82° 59′ 31" E., by the stone wall and Malden Street, 124.26 feet to the first mentioned point, being the point and place of beginning.

Containing 11.18 acres as shown as Lot 2 upon a plan entitled " Land in West Boylston, MA. surveyed for Malden Hill Realty Trust", dated May 1979, prepared by Charles A. Perkins Co., Inc., and recorded with Worcester District Registry of Deeds as Plan 97 in Plan Book 463.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Malden Street which may be held by the supposed owner, and being the same premises described in a deed from John L. Stock to William Nebes III, dated December 19, 1986 and recorded with said Deeds at Book 10085, Page 378.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The above described parcel is further identified by reference to West Boylston Assessors Tax Maps, as Lot 4 on Map 136.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
William Nebes III	$ 105,000.00

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Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, June 3, submitting for approval and execution Amendment to Concession Permit with Rosie's Restaurant of Wollaston, Inc., for Ponkapoag Golf Course, which requires the Permittee to pay $17,000.00, in arrearage over the 1997 golf season and allows the MDC to terminate the Permit if the Permittee fails to make timely payments.
The Commission V O T E D: Approved as submitted by Mr. Doak in his report of June 3, 1997.
The Secretary then submitted for signature Amendment, dated June 5, 1997, to Concession Permit with Rosie's Restaurant of Wollaston, Inc., for Ponkapoag Golf Course, which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 10:50 a.m., to meet on Thursday, June 11, 1997, at 9:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Eight Hundred and Fourteenth (3814th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Wednesday, June 11, 1997 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on May 21, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1908-C1A, dated June 11, 1997, with Ledgewood Construction Co., Inc., for Construction of New Playground at Marine Park, South Boston.

2. Contract No. P97-1904-C1A, dated June 11, 1997, with Ledgewood Construction Co., Inc., for Reconstruction of Entrance and Parking at Victory Road Park, Dorchester

3. Contract No. P97-1899-C1A, dated June 11, 1997, with Tar-Vel Roofing Company, Inc., for Installation of New Roofing at the Rev. Romano Simoni Memorial Ice Skating Rink, Cambridge.

4. Contract No. P97-1891-C1A, dated June 11 1997, with Tar-Vel Roofing Company, Inc., for Installation of New Roofs at the Msgr. William J. Daly Rink, Newton and the Alexander S. Bajko Rink, Hyde Park.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Messrs. Faucher, Brooks and DeLuca, May 12, recommending approval of the action of Acting Director Faucher resulting in revision in quantities on the following item on Contract No. P95-1790-M1A, with Allied Weatherproofing Company, Inc., Service and Repairs to Swimming Pools and Service Buildings - Item No. 001-003 - Communication Services - $5,524.28.
The Commission V O T E D: Delete from Agenda.

6. Report of Messrs. Faucher and DiPietro, May 20, requesting approval of Amendment No. 12, on Contract No. P82-0A02-D1M, with Metcalf and Eddy, Inc., for Town Brook Flood Control Project, Quincy and Braintree, which extends time of performance from June 30, 1998 to December 31, 2001, and increases compensation by $151,873.00 (new upset limit is $2,800,380.93, due to need to update plans and specifications, update base plan information, modify taking plans and prepare traffic mitigation plans for the Bigelow Street Relief Conduit (including Saltmarsh Replication) and the Brook Road Diversion Projects.
Funding from Account No. 2440-8884.
The Commission V O T E D: Approved.

7. Report of Messrs. Faucher, Brooks and Haider, June 5, submitting

for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1914-C1A, for Rehabilitation of Waiting Room Facility, Hull.
Estimated Cost - $90,000.00.
Time for Performance - sixty days.
Account No. 2490-0017.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1914-C1A, for Rehabilitation of Waiting Room Facility, Hull.

1. Report of Messrs. Faucher and Hamel, June 6, recommending approval of the following on Contract No. P97-1903-C1A, with R. Zoppo Corp., for Repairs to Water Line to George's Island -
(a) An extension of time from May 31, 1997 to July 1, 1997.
(b) Revision in Quantities on Item No. 001-070 - 30 Anchor Blocks w/Collar Bolts - $5,000.00.
The cost of the revision in quantity will be offset by unused quantities in Item Nos. 001-010, 001-030 and 001-040.
The Commission V O T E D: to approve an extension of time from May 31, 1997 to July 1, 1997, as recommended by Messrs. Faucher and Hamel, in their report of June 6, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve the Revision in Quantities, in the amount of $$5,000.00, on Item No. 001-070.

2. Report of Messrs. Faucher and Lenhardt and Miss Peterson, June 6, recommending approval of an extension of time from June 14, 1997 to July 7, 1997, under provisions of Article XXII, for administrative purposes only, on Contract No. P82-1054-C1A, with The Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc./Middlesex Materials Corporation, for Repair of Charles Circle Bridges Nos. 57A and 57B, Boston. The extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.
The Commission V O T E D: to approve an extension of time from June 14, 1997 to July 7, 1997, under provisions of Article XXII, for administrative purposes only, as recommended by Messrs. Faucher and Lenhardt and Miss Peterson, June 6, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation, and that this extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.

3. Report of Miss Overton and Messrs. Faucher and Orfant, June 5, recommending the following on Contract No. P96-1839-C1A, with Bull Contracting, Inc., for George's Island Picnic Pavilion -

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that the Commission adopt a vote as follows -
Whereas: The Engineer certifies to the Commission that the rate of progress is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that the contractor has consistently failed to provide materials in accordance with contract plans and specifications, we hereby declare that Bull Contracting, Inc. is in default having violated certain provisions of the contract; and therefore pursuant to the provisions of ARTICLE XX of Special Conditions of the contract documents, hereby notify Bull Contracting, Inc. to discontinue all work, or any part thereof, under the contract.
Whereas: The Colonial Surety Company of Harrisburg Pennsylvania, executed a Performance Bond, as surety, on behalf of Bull Contracting, Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance of Bull Contracting, Inc., of all undertaking, covenants, agreements, terms, and conditions of said contract on its part to be kept and performed: and
Whereas: The Commission has declared Bull Contracting, Inc., to be in default, having violated certain provisions of the contract; now therefore the Commission hereby notifies the surety of said default and requests Colonial Surety Company of Harrisburg, Pennsylvania to take such action as is necessary to complete said contract. Further that all work under this contract shall be completed within sixty days of notification to the surety. Miss Overton and Messrs. Faucher an Orfant further request approval of an extension of time from July 1, 1997 to June 30, 1998, for Contract No. P96-1839-C1A, under provisions of Article XXII (The extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due to the Commission. The extension of time shall not operate as a waiver on the part of the Commission nor of any of its rights under the Contract).
The Commission V O T E D: **Whereas:** The Engineer certifies to the Commission that the rate of progress is unsatisfactory, that the work has been unnecessarily and unreasonably delayed, and that the contractor has consistently failed to provide materials in accordance with contract plans and specifications, we hereby declare that Bull Contracting, Inc. is in default having violated certain provisions of the contract; and therefore pursuant to the provisions of ARTICLE XX of Special Conditions of the contract documents, hereby notify Bull Contracting, Inc. to discontinue all work, or any part thereof, under the contract.
The Commission further V O T E D: **Whereas:** The Colonial Surety Company of Harrisburg Pennsylvania, executed a Performance Bond, as surety, on behalf of Bull Contracting, Inc. as principal, agreeing to be held and firmly bound unto the Commonwealth of Massachusetts for the faithful performance of Bull Contracting, Inc., of all undertaking, covenants, agreements, terms, and conditions of said contract on its part to be kept and performed: and
Whereas: The Commission has declared Bull Contracting, Inc., to be in default, having violated certain provisions of the contract; now therefore the Commission hereby notifies the surety of said default and requests Colonial Surety Company of

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Harrisburg, Pennsylvania to take such action as is necessary to complete said contract. Further that all work under this contract shall be completed within sixty days of notification to the surety.
The Commission V O T E D: to approve an extension of time from July 1, 1997 to June 30, 1998, under provisions of Article XXII, for administrative purposes only, as recommended by Miss Overton and Messrs. Faucher and Orfant, June 5, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation, and that this extension of time will in no way affect the liquidated damages provisions of Article XXI that may be due the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under this contract.

1. Report of Messrs. Faucher, Brooks and Galvin, June 4, on bids for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston, Contract No. P97-1906-C1A.
(Messrs. Faucher, Brooks and Galvin recommend acceptance of the lowest bid received, that of Multitemp Mechanical Corp., of $318,896.00).
The Commission V O T E D: to accept the lowest bid received, that of Multitemp Mechanical Corp., of $318,896.00.

2. Report of Messrs. Faucher, Brooks and Mayhew, June 9, requesting approval of refrigeration sub-contractor on Contract No. P97-1894-C1A, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston.
(Messrs. Faucher, Brooks and Mayhew recommend approval of Refrigeration Engineering & Contracting Company, Inc., (Recco Inc.) - with a low sub-bid of $102,672.00).
They further recommend that the Commission adjust the general bid of $747,604.00 to $725,276.00 to reflect the difference of cost between the $125,000.00 allowance carried by the General Contractor and the $102,672.00 low refrigeration sub-bid - $22,672.00.
The Commission V O T E D: Delete from Agenda.

3. Report of Messrs. Faucher and Machado, June 5, recommending approval of revisions in quantities on the following items on Contract No. P96-1864-C1A, with D & R General Contracting, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District -

Item No. 005-010	**$ 2,000.00**
Catch Basins and Manholes Adjusted to Grade	
Item No. 008-010	**$ 500.00**
Utility Boxes Adjusted to Grade	
Item No. 014-010	**$ 3,000.00**
New Granite Corner Blocks	
Item No. 021-010	**$175,000.00**
Bituminous Concrete	
Total =	**$180,500.00**

Cost will be partially offset in the sum of $70,500.00 by unused quantities in Item Nos. 001-010 - unclassified excavation, 003-010 - gravel borrow, 004-010 - loam borrow, 011-010 - granite edgestone, 012-010 - granite edgestone (curved) and 027-010 - traffic control services. The remaining costs in the amount of $110,000.00, will be funded from Account No. 2440-8952.
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher, Brooks, Martinez and Park, June 5, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1915-C1A, for Demolition and Replacement of the Roof at the Almy's Building, Brighton.
Estimated Cost - $490,000.00.
Time for Performance - one month.
Account No. 2449-0003.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1915-C1A, for Demolition and Replacement of the Roof at the Almy's Building, Brighton.

2. Report of Messrs. Faucher and Jackson, June 9, recommending approval of Extra Work Orders and an extension of time from May 31, 1997 to July 31, 1997, on Contract No. P95-1784-C1A, with A. W. Paine Construction Corp., for Rehabilitation of Mother's Rest Pavilion and Marine Park Bandstand, South Boston, as follows -

Extra Work Order No. 7	**$ 3,363.00**
Change in Anti-Graffiti Coating	
Extra Work Order No. 8	**$ 1,278.50**
Nixalite Pigeon Control Guards	
Extra Work Order No. 9	**$ 5,747.94**
Substitute Sod for Seed at Bandstand	
Total =	**$10,389.44**

Account No. 2440-8956.
The Commission V O T E D: to approve Extra Work Order No. 7, in the amount of $3,363.00.
The Commission further V O T E D: to approve Extra Work Order No. 8, in the amount of $1,278.50.
The Commission further V O T E D: to approve Extra Work Order No. 9, in the amount of $5,747.94.
The Commission further V O T E D: to approve an extension of time from May 31, 1997 to July 31, 1997, as recommended by Messrs. Faucher and Jackson in their report of June 9, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs McGinn and Baratta, May 23, requesting approval of the following Master Grant Agreements with the Towns of Holden and West Boylston for Reimbursement of Fire Details Services on Project for Fast Track Sewer Construction Holden and West Boylston -

1. Authorization to develop a Master Grant Agreement for Fire Detail Services with the Town of Holden; with a total cost to the MDC of $125,000.00.
2. Authorization to develop a Master Grant Agreement for Fire Detail Services with the Town of West Boylston; with a total cost to the MDC of $125,000.00.
3. Authorization for Commissioner Balfour to execute the two Master Grant Agreements on behalf of the Commission.

Funding from Account No. 2420-7961 - which is reimbursable under the State Revolving Fund.
The Commission V O T E D: authorization to develop a Master Grant Agreement for Fire Detail Services with the Town of Holden; with a total cost to the MDC of $125,000.00.
The Commission further V O T E D: authorization to develop a Master Grant Agreement for Fire Detail Services with the Town of West Boylston; with a total cost to the MDC of $125,000.00.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the two Master Grant Agreements on behalf of the Commission.

1. Report of Messrs. McGinn and Robert O'Connor, May 28, requesting approval and execution of a Source Certification Agreement with Rainforest Alliance for the Smart Wood Program, for the Green Certification of forest management operations at MDC land at Quabbin Reservoir.
Time for Performance - five years (June 1, 1997 to May 31, 2002).
Compensation to Rainforest Alliance - $1,000.00 per year for years 2 through 5 - plus costs of scheduled and random audits of MDC's efforts).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Source Certification Agreement, dated June 11, 1997, with the Rainforest Alliance, which was signed by the Commissioner and two Associate Commissioners.

2. Report of Mr. McGinn, May 30, requesting approval to enter into Agreement for Project No. WM97-040-X1A with the Upper Blackstone Water Pollution Abatement District to pay the costs of District membership on behalf of the Towns of Holden, Rutland and West Boylston, in an amount not-to-exceed, in the aggregate, $2,600,000.00, from funds authorized under provisions of Chapter 15 of the Acts of 1996, Account Nos. 2420-7962 and 2420-7963.
Mr. McGinn further requests authorization for Commissioner Balfour to execute the Agreement on behalf of the Commission.
The Commission V O T E D: Approved as recommended by Mr. McGinn in his report of May 30, 1997.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Agreement on behalf of the Commission.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, June 4, recommending approval of the request of Charles River Recreation, for a waiver of the remaining

$2,500.00 due on their $5,000.00 fee for operation of the Weston Ski Track, Martin Golf Course, Weston, for the 1996-1997 winter season, due to reduced income caused by lack of natural snow and unusually warm winter season.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien and Mr. Kleiman, June 4, requesting approval and execution of an Amendment for an extension of time from June 30, 1997 to October 31, 1997, to Contract No. PL93-023-D1A, with Planner's Collaborative, Inc., for Neponset River Estuary Master Planning and Design Services, Boston and Milton.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated June 11, 1997, to Contract-Agreement No. PL93-023-D1A, with Planner's Collaborative, Inc., which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, June 6 recommending that the Commission authorize the acquisition by deed of approximately 126 acres of land owned by the Federal Deposit Insurance Corporation, located in the Towns of West Boylston and Holden, Massachusetts, and to approve the amount of $275,000.00, as consideration, together with such taxes, costs and fees as are required by law.
Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to authorize the acquisition by deed of approximately 126 acres of land owned by the Federal Deposit Insurance Corporation, located in the Towns of West Boylston and Holden, Massachusetts.
The Commission further V O T E D: to approve the amount of $275,000.00, as consideration, together with such taxes, costs and fees as are required by law.

3. Report of Mr. Gray, June 6, recommending that the Commission authorize the acquisition by deed of approximately 155.09 acres of land owned by the Federal Deposit Insurance Corporation, located in the Town of Holden, Massachusetts, and to approve the amount of $525,000.00, as consideration, together with such taxes, costs and fees as are required by law.
Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to authorize the acquisition by deed of approximately 155.09 acres of land owned by the Federal Deposit Insurance Corporation, located in the Town of Holden, Massachusetts.
The Commission further V O T E D: to approve the amount of $525,000.00, as consideration, together with such taxes, costs and fees as are required by law.

1. Report of Mr. Gray, June 6 recommending that the Commission adopt an Order of Taking for acquisition of approximately 161.91 acres of land owned by W. Holt Whiting, et als, located in the Town of West Boylston and Holden, Massachusetts, and to approve an award of damages in the amount of $635,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 161.91 acres of land owned by W. Holt Whiting, et als, located in the Town of West Boylston and Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 11, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of West Boylston and Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

Two (2) certain parcels of land comprising approximately 139.12 acres and located on and off Malden Street in the Towns of West Boylston and Holden, one parcel containing approximately 117.81 acres and being shown as Lot 2 on a plan recorded with Worcester District Registry of Deeds as Plan 35 in Plan Book 614, and the other parcel containing approximately 21.31 acres and being shown as Parcel A-2 on a plan recorded with said Deeds as Plan 91 in Plan Book 713.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Malden Street which may be held by the supposed owners, and being a portion of the same premises described in the following deeds: a deed from Astrid M. Johnson to Alfred N. Whiting and Joan A. Whiting, dated December 18, 1986, and recorded with said Deeds in Book 10085, Page 103; a deed from Alfred N.

Whiting to W. Holt Whiting and Anne W. Hall, dated December 22, 1986, and recorded with said Deeds in Book 10085, Page 104; a deed from Joan A. Whiting to W. Holt Whiting and Anne W. Hall, dated December 22, 1986, and recorded with said Deeds in Book 10085, Page 105; a deed from Joan A. Whiting to Patricia J. Whiting and Robert F. Hall, dated December 22, 1987, and recorded with said Deeds in Book 11030, Page 231; and a deed from Alfred N. Whiting to Patricia J. Whiting and Robert F. Hall, dated December 22, 1987, and recorded with said Deeds in Book 11030, Page 232.

Also meaning and intending to include in the premises taken hereby, any and all right, title and interest of the supposed owners named below, in and to a certain parcel of land which may contain nearly six acres and which is located in the Town of Holden off the westerly sideline of Interstate Route 190.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
W. Holt Whiting, Anne W. Hall, Patricia J. Whiting, Robert F. Hall, Joan A. Whiting, and W. Holt Whiting and Anne W. Hall as Trustees of Alfred N. Whiting Trust	$ 635,000.00

AND FURTHER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land containing approximately 16.81 acres, and located off Malden Street in the Town of West Boylston, and being shown as Lot A-1 on a plan recorded with said Deeds as Plan 91 in Plan Book 713.

The aforementioned parcel is supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
W. Holt Whiting, Anne W. Hall, Patricia J. Whiting, Robert F. Hall, Joan A. Whiting, and W. Holt Whiting and Anne W. Hall as Trustees of Alfred N. Whiting Trust	16.81 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in those same deeds as cited above.

The Commission awards no damages to the supposed owners of the land hereinabove mentioned by reason of said taking, by agreement among the parties.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, which are associated with non-residential purposes, shall be permitted on said premises. The maintenance, renovation, reconstruction, repair and replacement of the existing dwelling house, including any extension or extensions thereto duly approved by the appropriate municipal body or bodies, is expressly permitted by this order; also, the construction and maintenance, renovation, reconstruction, repair and replacement of any accessory residential structures, is expressly permitted by this order.

2. No septic systems or leach fields shall be permitted, other than existing systems or fields and the maintenace, renovation, reconstruction, repair and replacement of same.

3. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

4. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides, herbicides and fertilizers, shall be permitted.

5. No tillage.

6. No grazing or sheltering of livestock or animals shall be permitted.

7. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

8. No commercial timber harvesting or tree cutting shall be permitted, unless such harvesting or cutting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

9. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission further V O T E D: to approve an award of damages in the amount of $635,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 6, recommending that the Commission adopt a Confirmatory Order of Taking for acquisition of a permanent easement of approximately 726 square feet, and two temporary easements totaling 580.52 square feet, in, through and under land owned by Anthony Ferlisi Corp., et al, located in the City of Revere, Massachusetts, and to approve an award of damages in the amount of $700.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8885.
The Commission V O T E D: to adopt a Confirmatory Order of Taking for acquisition of a permanent easement of approximately 726 square feet, and two temporary easements totaling 580.52 square feet, in, through and under land owned by Anthony Ferlisi Corp., et al, located in the City of Revere, Massachusetts.

CONFIRMATORY
ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 11, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the right and permanent easement to construct, inspect, repair, renew, replace, operate and forever maintain pipes, conduits and appurtenances for the transmission of electricity, and the transmission of telephone and telegraph communications and data or signals by electrical or electronic means of any kind, in, through and under the following described land situated in the City of Revere in the County of Suffolk and Commonwealth of Massachusetts shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Revere Beach Reservation, Revere, Plan of Taking for sewer, north of Oak Island Street from Pauline Goldman, November 16, 1937, Benj. R. Davis, Director of Park Engineering," being plan accession number 24152-V.T., which plan is on file with the Metropolitan District Commission and recorded with Suffolk County Registry of Deeds in Book 5698, Page 518, and made a part of this order, namely, a parcel bounded:

Beginning at the intersection of the boundary line between land now or formerly of Marino F. & Barbara A. Cuozzo and land now or formerly of Anthony Ferlisi Corp., with the northwesterly side line of land of the Commonwealth of Massachusetts, known as Revere Beach Reservation, which

point is distant northeasterly measuring along said side line of said land of the Commonwealth of Massachusetts one thousand one hundred sixty-two and 38/100 (1162.38) feet from Oak Island Street;

Thence the line runs north 60° 12′ 49" west by said land of Cuozzo one hundred forty-five and 07/100 (145.07) feet to a point in the southeasterly side line of the location of the Boston-Revere Beach and Lynn Railroad;

Thence north 29° 59′ 10" east by said side line of said railroad location five and 0/10 (5.0) feet to a point at said land of Ferlisi;

Thence south 60° 12′ 49" east by said land of Ferlisi one hundred forty-five and 19/100 (145.19) feet to said land of the Commonwealth of Massachusetts;

Thence in a general southwesterly direction by a line curving to the left with a radius of thirty-one thousand seven hundred sixty-six and 30/100 (31766.30) feet, five and 0/10 (5.0) feet to the point of beginning. Comprising seven hundred twenty-six (726) square feet more or less of land supposed to be owned by Anthony Ferlisi Corp.

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes aforesaid, the right and temporary easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials, and for depositing and storing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited and stored thereon, but in no event later than June 30, 1997, on the following described parcels of land situated in said Revere, in said County and Commonwealth, namely, two parcels each running parallel to the above described easement being two (2) feet in width on the south side of said easement comprising of two hundred-ninety and 14/100 (290.14) square feet more or less of land supposed to be owned by Marino F. and Barbara A. Cuozzo and two (2) feet in width on the north side of said easement comprising of two hundred-ninety and 38/100 (290.38) square feet more or less of land supposed to be owned by Anthony Ferlisi Corp.

Said rights and easements in the land included in said parcels are taken without interference with or prejudice to the rights of the respective owners, except so far as is reasonably necessary in the exercise of the rights and easements hereby taken, and there are reserved to the respective owners and their heirs, successors and assigns, all their respective rights in and to the use of their lands lying within said parcel for all lawful purposes not inconsistent with the use thereof for all the purposes hereinbefore mentioned, provided, however, that unless the written consent of the Metropolitan District Commission or such other authority as shall for the time being have the control of said pipes, conduits and appurtenances on behalf of said Commonwealth of Massachusetts shall first have been obtained, no buildings or structures shall hereafter be erected or maintained in or upon any part of said parcels, and the pipes, conduits and appurtenances lawfully constructed or maintained on or in said land shall not be interfered with.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

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This is a confirmatory order of taking, to i.) confirm the original action of the Commission by its order of taking for sewer and drainage purposes dated November 18, 1937, and recorded with said Deeds in Book 5698, Page 518, which order did not include the existing electrical transmission line on said property, and to ii.) include the right for the Commission to so use said easement area property for the transmission of electricity, and to add the right for the Commission to use the easement area for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER(S)	AWARD
Anthony Ferlisi Corp. Book 20157 Page 128	$ 600.00
Marino F. & Barbara A. Cuozzo Book 20155 Page 205	$ 100.00

The Commission further V O T E D: to approve an award of damages in the amount of $700.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:45 a.m., to meet on Thursday, June 19, 1997, at 9:00 a.m.

William F. Brodie
Secretary

Record of the Three Thousand Eight Hundred and Fifteenth (3815th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 19, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on June 5, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P97-1892-C1A, dated June 19, 1997, with Great Northern Site Corp., for Demolition of the James E. Phelan Memorial Pool, West Roxbury.

2. Contract No. P97-1895-C1A, dated June 19, 1997, with P. J. Kennedy and Sons, Inc., for Installation of H.V.A.C. Systems at the Bajko, Bryan and Connery Ice Skating Rinks.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Mr. Faucher and Mrs. Graves-Jones, June 11, recommending approval of a revision in quantities on Item No. 019-010 - for traffic control services - $1,400.00, on Contract No. P96-1836-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 003-020 - Traffic Signal Knockdown Repair).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher, Brooks and Mayhew, June 5, on bids for Installation of New Roofing at the Robert L. Devine Skating Rink, Dorchester, Contract No. P96-1856-C1A.
(Messrs. Faucher, Brooks and Mayhew recommend acceptance of the lowest bid received, that of Reliable Roofing, Inc., D/B/A North Country Roofing, of $87,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Reliable Roofing, Inc., D/B/A North Country Roofing, of $87,000.00.

5. Report of Messrs. Faucher and Higgott, April 15, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. P82-1112-C2A, for Peddock's Island Pier Replacement.
Estimated Cost - $1,760,000.00.
Time for Performance - eighteen months from start of Contract.
Account No. 2440-8889.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P82-1112-C2A, for Peddock's Island Pier Replacement.

1. Report of Mr. Faucher and Ms. Pfetsch, June 12, requesting approval and execution of Amendment No. 3, to Contract-Agreement No. P94-1749-D1A, with David P. Handlin and Associates, Architects, for Captain's House Renovations, Blue Hills Reservation, Milton, which extends time of performance from June 30, 1997 to August 31, 1997, to coincide with the construction project and completion of punch list items and preparation of record (as built) drawings.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated June 19, 1997, to Contract-Agreement No. P94-1749-D1A, with David P. Handlin and Associates, Architects, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher, Carrigan and Machado, June 13, recommending approval of revisions in quantities on the following items on Contract No. P96-1862-C1A, with South Shore Fence Company, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan Park System -

Item No. 016-010	**$ 538.20**
Steel Bollards	
Item No. 058-010	**$ 6,719.25**
Galvanized Chain Link Fence 6 Ft. High	
Item No. 073-010	**$ 850.00**
Remove, Dispose or Store Chain Link Fence 2 Ft. to 6 Ft. High	
Item No. 077-010	**$14,577.50**
Painting Boston Pattern Fence	
	Total = $22,684.95

The cost for these revisions will be offset by unused quantities in Item Nos. 017-010 - Furnish and Install Individual Lock Post, 044-010 - Painting Wood Post and 042-010 - Painting Metal Guard Rail.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher, Brooks and Haider, June 12, on bids for Maintenance, Service and Repairs to H.V.A.C. Systems at Various Flood Control/Navigation Sites, Contract No. P97-1909-M1A.
Account No. 2440-0110.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of P.J. Kennedy & Sons, Inc., of $51,525.00).
The Commission V O T E D: to accept the lowest bid received, that of P.J. Kennedy & Sons, Inc., of $51,525.00.

4. Report of Miss Overton and Messrs. Faucher and Jackson, June 12, recommending approval of Amendment No. 1, to Contract-Agreement No. P95-1784-D1A, with Carol R. Johnson Associates, Inc., for Rehabilitation of South Boston Beaches, as follows -
(1) Addition of two sub-consultants -
    (a) Sam Zax Associates - for electrical engineering support.
    (b) Naecker Ammondson Associates - for architectural design support.

(2) Design services for Rehabilitation of South Boston Beaches -

(a)	Phase I Project Design and Construction Phase Services.	- $ 37,283.00
(b)	Resubmission of the Interim Assessment	- $ 29,489.00
(c)	Redesign Due to MEPA Regulatory Review	- $ 40,208.00
(d)	Reallocation of Budget from Resanding to Site Design.	- $ 64,584.00
(e)	Beach Bathymetry and Shellfish Survey	- $ 9,557.00
(f)	Water Line Replacement.	- $ 18,452.00
		Total = $199,573.00

(3) An extension of time from June 30, 1998 to June 30, 1999.
Account No. 2440-8956.
The Commission V O T E D: to approve Amendment No. 1 to Contract-Agreement No. P95-1784-D1A, as recommended by Miss Overton and Messrs. Faucher and Jackson in their report of June 12, 1997.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, June 2, recommending the following on Contract No. WM86-004-X1A, with Camp Dresser & McKee, Inc., for Assistance with Environmental Permits, Stearns Dam, Framingham -
(a) That work be accepted as completed as of December 14, 1996.
(b) That Estimate No. 1 (Final), in the amount of $4,950.00, be approved for payment.
(Contract Performance Rating - 9.00 with 10.00 being excellent).
(EEO Performance Rating - N/A)
The Commission V O T E D: that the work of Camp Dresser & McKee, Inc., Consultant under Contract No. WM86-004-X1A, be and hereby is accepted as completed as of December 14, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $4,950.00, for payment.

2. Report of Mr. McGinn, May 29, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1720, conveying SW 1/2 Lot No. 968 to Joyce L. Harrop.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1720, dated June 19, 1997, which was signed by the Commissioner and two Associate Commissioners.

3. Report of Mr. McGinn, May 29, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1719, conveying NE 1/2 Lot No. 968 to Shirley B. Russell.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1719, dated June 19, 1997, which was signed by the Commissioner and two Associate Commissioners.

4. Report of Mr. McGinn, May 29, submitting for approval request of Shirley B. Russell for the Commission to buy back NE 1/2 of Lot

1027 and apply the $300.00 refund to the purchase of W 1/2 of Lot A-73.
Mr. McGinn requests execution of the Quabbin Park Cemetery Deed Q-1717-A for W 1/2 of Lot A-73.
The Commission V O T E D: to approve the request of Shirley B. Russell for the Commission to buy back NE 1/2 of Lot 1027 and apply the $300.00 refund to the purchase of W 1/2 of Lot A-73.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1717-A, dated June 19, 1997, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Messrs. McGinn and Robert O'Connor, June 13, requesting approval of the 1997 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report.
Messrs. McGinn and Robert O'Connor further request approval to close the controlled hunt areas outlined in Table 1 to all persons except those with official MDC access permits, for the following periods for each area -
Pelham - December 1-3
Prescott - December 8-10
Hardwick - December 1-3
New Salem - December 3-5
Petersham - December 3-5.
The Commission V O T E D: Held Over for further information.

2. Report of Ms. Overton and Mr. McGinn, June 13, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Inter-governmental Service Agreement with the University of Massachusetts, Department of Forestry and Wildlife Management, to develop and implement a land protection computer model for the Ware River Watershed.
Time for Performance - July 1, 1997 to October 30, 1998.
Cost - not-to-exceed $35,000.00.
Funds are available in Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission,
Inter-governmental Service Agreement with the University of Massachusetts, Department of Forestry and Wildlife Management.

3. Report of Messrs. McGinn and Robert O'Connor, June 10, recommending the following Contract No. WM97-076-S2A, with BSC Group, for Land Analysis and Planning, Norco Sportsman's Club, Inc. -
(a) That work be accepted as completed as of December 31, 1996.
(b) That first and final payment (Invoice No. 1), in the amount of $7,300.00, be approved for payment.
(Basis of Award - $7,300.00)
(Amount to Date - $7,300.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of BSC Group, Consultant under Contract No. WM97-076-S2A, be and hereby is accepted as completed as of December 31, 1997.

The Commission further V O T E D: to approve the first and final payment (Invoice No. 1), in the amount of $7,300.00, for payment.

1. Report of Messrs. McGinn and Kane, June 10, requesting that the Commission Amend the vote of March 6, 1997, which released the reserve on Contract No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Evaluation and Construction Design of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, to read $27,542.55 rather than $39,119.34.
(All other provisions of the Commission vote shall remain the same).
The Commission V O T E D: to amend the vote of March 6, 1997, which released the reserve on Contract No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Evaluation and Construction Design of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, to read $27,542.55 rather than $39,119.34, all other provisions of the Commission vote shall remain the same.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, June 16, recommending that the Commission adopt an Order of Taking for acquisition of approximately 98.22 acres of land owned by Franksim Properties, Inc., located in the Town of Canton, Massachusetts, and to approve an award of damages in the amount of $320,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A; and further recommending that the Commission grant to the Town of Canton the right to enter upon and use an area of the premises acquired hereby, subject to the prior approval of the MDC Division of Reservations and Historic Sites, for water supply purposes; and further recommending that, should the Town of Canton exercise the right granted hereby, the area dedicated to such water supply purposes shall be limited and otherwise restricted by said Commission to only those uses which are deemed compatible and consistent with all applicable regulations and guidelines for the protection of a public water supply well, as promulgated and amended by the appropriate federal, state and local agencies, expressly including but not limited to 310 CMR 22.21 (1) (b) 5. Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 98.22 acres of land owned by Franksim Properties, Inc., located in the Town of Canton, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $320,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission further V O T E D: to grant to the Town of Canton the right to enter upon and use an area of the premises acquired hereby, subject to the prior approval of the MDC Division of Reservations and Historic Sites, for water supply purposes.
The Commission further V O T E D: that should the Town of Canton exercise the right granted hereby, the area dedicated to such

water supply purposes shall be limited and otherwise restricted by said Commission to only those uses which are deemed compatible and consistent with all applicable regulations and guidelines for the protection of a public water supply well, as promulgated and amended by the appropriate federal, state and local agencies, expressly including but not limited to 310 CMR 22.21 (1) (b) 5. Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 19, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Canton in the County of Norfolk and Commonwealth of Massachusetts, namely:

A certain tract of land lying on the Southerly side of Neponset Street along the Neponset River in the area known as Fowl Meadow, comprised of ten mostly contiguous parcels of land. These ten parcels contain all of the property owned by Franksim Properties, Inc., in the two deeds referenced below.

Meaning and intending to take hereby any and all fee interest in Neponset Street which may be held by the supposed owner, as a result of the ownership of the above described property, and being all of the remaining portions now held by Franksim Properties, Inc., of the same premises described in two deeds; one deed from Robert B. Milgroom, Trustee of Meadowlands, to Franksim Properties, Inc., a Massachusetts Corporation, recorded with the Norfolk County Registry of Deeds in Book 9578, Page 178, and another deed from Elizabeth M. Coletti, Trustee of Simoni Realty Trust, to Franksim Properties, Inc., a Massachusetts Corporation, recorded with said Deeds in Book 9755, Page 113.

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Containing 98.222 acres more or less.

The property which is the subject of this agreement consists of ten (10) parcels of land containing 98.22 acres more or less, as represented on the Town of Canton Assessors Tax Map 7, as Parcels 4, 6, 9, 13, 14, 15, 16; Tax Map 6, as Parcels 8 and 9; and Map 3, as Parcel 7.

This order of taking expressly excludes from the premises taken hereby, any property owned by Franksim Properties, Inc., which is located southerly of those parcels referenced above and shown on the Town of Canton Assessors Tax Map 6 as Parcels 8 and 9, and on the Town of Canton Assessors Tax Map 7 as Parcel 13.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission expressly grants to the Town of Canton, the right to enter upon and use an area of the premises taken hereby for water supply purposes, subject to the prior approval of the MDC Division of Reservations and Historic Sites. The area of the premises to be so used by said Town, for the design, construction, maintenance, repair, renovation and restoration of a public water supply well, is hereby limited and otherwise restricted by this Commission to only those uses which are deemed compatible and consistent with all applicable regulations and guidelines for the protection of a public water supply well, as promulgated and amended by the appropriate federal, state and local agencies, expressly including but not limited to 310 CMR 22.21(1)(b)5.

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The concurrence of the Selectmen of the Town of Canton, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Franksim Properties, Inc.	$320,000.00

1. Report of Mr. Gray, June 16, recommending that the Commission adopt an Order of Taking for acquisition of approximately 266 acres of land owned by Norco Sportsman's Club, Inc., located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $1,100,000.00, subject to the approval and release of all claims for this acquisition by said Norco Sportsman's Club, Inc., together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 266 acres of land owned by Norco Sportsman's Club, Inc., located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 19, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land located between, situated on and bounded by the northwesterly sideline of Gleason Road, the northerly sideline of Houghton Road, and the southeasterly sideline of East Princeton Road, in the Town of Princeton, Massachusetts, and containing approximately 300 acres of land, more or less, and being the same premises described in a deed from Darren Monks, et als, Trustees of the Norco Sportsman's Club, to Norco Sportsman's Club, Inc., dated April 20, 1983, and recorded with Worcester District Registry of Deeds in Book 7746, Page 157.

There is expressly excluded from the premises taken hereby, an area of approximately 36 acres as shown on the attached plan of land as that parcel named "Norco Sportsmen (sic) Club," which plan is attached hereto and incorporated herein as Exhibit "A." It is the sole responsibilty of the owner to prepare a survey plan to show this excluded area, which plan shall either be attached hereto and incorporated herein as Exhibit "B" if available at time of recordation, or shall be recorded with said Deeds at a later date. This excluded area is located at the intersection of said Gleason and Houghton Roads at the easterly side of the said parcel.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Norco Sportsman's Club, Inc.	265 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being a major portion of the premises described in the above referenced deed from Darren Monks, et als, Trustees of the Norco Sportsman's Club, a voluntary organization, to Norco Sportsman's Club, Inc., a Massachusetts Corporation, and recorded with Worcester District Registry of Deeds in Book 7746, Page 157. For a description of said land see the following two deeds: a deed from John Rasmussen to Lennart A. Kasparson, et al, Trustees of Norco Sportsman's Club, dated September 21, 1946, and recorded with said Deeds in Book 302, Page 355; and a deed from Richard S. Hamilton to Lennart A. Kasparson, et al, Trustees of Norco Sportsman's Club, dated October 1, 1946, and recorded with said Deeds in Book 3026, Page 368.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises, except as otherwise permitted herein.

2. No construction or placing of utilities or utility delivery systems, or portions thereof, shall be permitted, except as necessary for that portion of the premises designated and shown on the attached Exhibit "A," and upon the attached Exhibit "B," if available, as the unrestricted area.

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land, and except as otherwise permitted herein.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted, except as otherwise permitted herein.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

11. The MDC specifically authorizes and permits, and does thereby expressly not prohibit, the following rights and uses within the premises restricted under this taking:

a. the right to continue to operate under G.L. c. 61 Forestry, or other similar state or federal programs now or in the future, dedicated to conservation uses and purposes in compliance with this restriction;

b. the right to continue to hunt, fish and trap in any legal manner according to applicable Commonwealth and federal statutes and regulations, including but not limited to: hunting migratory game; use of hunting dogs; use of lead shot and ammunition; bow hunting including the use of tree stands with or without screw-in pegs; the ability to breed, stock and release game for hunting; and the ability to fish throughout the year using artificial or live bate;

c. the right to continue to allow hiking, cross-country skiing, snowshoeing, camping (to include overnight), and picnicking on the property by members and invitees, including properly managed campfires for cooking;

d. the right to continue to shoot firearms, antique firearms, and bows during any legal hours according to applicable Commonwealth and federal statutes and regulations;

e. the right to continue to hold and sponsor shooting and sporting competitions by members and invitees, including, but not limited to, the fishing, the use of firearms, antiques firearms, and bows, for silhouette and three dimensional targets;

f. the right to continue to manage the land in accordance with G.L. c. 132 and MDC Best Management Practices for Forest Management in cooperation with MDC agents, or its statutory successor, including but not limited to the ability to patch cut select areas for wildlife management in accordance with creating temporary forest openings per the Wildlife Habitat Enhancement Document for SIP-8 drafted by DFWELE, prepare and seed the patch cut areas to develop grasslands, and maintain the openness of these areas with farm or residential mowing equipment; plant grass, trees, and or other ground cover for wildlife management; operate logging equipment and maintenance vehicles as necessary;

g. the right to construct, use and maintain an access road from the rear of the unrestricted land across the restricted parcel to the boundary of land now or formerly of Pierozzi, and to cut and maintain fire roads and walking trails on the restricted property, said access road, fire roads and trails shall be located in cooperation with the MDC, its agents or statutory successors and shall not be constructed with any impervious surface or material;

h. the right to maintain the existing foot bridge present over the stream known as the East Wachusett Brook;

i. the right to maintain and improve all existing power easements; and

j. the right to allow members and their invitees to operate motorized vehicles on the premises, including snowmobiles, motorcycles, and ATV uses related to the enjoyment of the premises by the disabled, and the customary utilization of recreational vehicles for the removal of game, but limiting such operation to members and invitees, and excluding any and all such use by members of the general public.

The entire parcel will not be posted as restricted from hunting or fishing by club members or the general public unless it is the decision of the club membership to privately post restrictions on the property.

The Commission acknowledges the intent of Norco Sportsman's Club, Inc., to recreate a pond on the unrestricted land which is excluded from this Order of Taking and retained by the Norco Sportsman's Club, Inc. The Norco Sportsman's Club, Inc., has the sole responsibility to comply with any and all state and federal statutes and regulations, including but not limited to the Wetlands Protection Act (MGL c. 131 § 40) and the Watershed Protection Act (MGL c. 36), in recreating such pond on the unrestricted land.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner(s) of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Norco Sportsman's Club, Inc.	$ 1,100,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,100,000.00, subject to the approval and release of all claims for this acquisition by said Norco Sportsman's Club, Inc., together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matter:

1. Report of Ms. Overton and Mr. Jewett, June 16, requesting approval of Amendment No. 4 to Contract No. P96-1824-S1A, with Fugro East, Inc., for Resource Management Plan, which extends the completion date from June 30, 1997 to August 31, 1997, in order to incorporate various comments from environmental groups into the Plan prior to filing with MEPA.
Ms. Overton and Mr. Jewett further request authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute Amendment No. 4, on behalf of the Commission.

Adjourned at 9:50 a.m., to meet on Thursday, June 26, 1997, at 9:00 a.m.

William J. Cusack
Secretary

Record of the Three Thousand Eight Hundred and Sixteenth (3816th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 26, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 11, 1997, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated June 26, 1997, to Contract-Agreement No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Construction of Essential Remedial Repairs and Emergency Action Plan, Sudbury Dam.

2. Contract No. P96-1856-C1A, dated June 26, 1997, with Reliable Roofing, Inc., d/b/a North Country Roofing, for Installation of New Roofing at the Robert L. Devine Skating Rink, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Mr. Brooks, June 13, on bids for Service to Underwater Structures at Various Flood Control/Navigation Sites, Contract No. P97-1910-M1A.
(Mr. Brooks recommend acceptance of the lowest bid received, that of Inner Space Services, Inc., of $53,960.00).
The Commission V O T E D: to accept the lowest bid received, that of Inner Space Services, Inc., of $53,960.00.

4. Report of Messrs. Faucher and Mayhew, May 31, recommending the following on Contract No. P97-1869-C1A, with Capeway Roofing Systems, Inc., for Installation of New Roof Over Rink Area at Francis L. Murphy Skating Rink, South Boston -
(a) That work be accepted as completed as of May 31, 1997.
(b) That Estimate No. 1 (Final), in the amount of $151,095.60, be approved for payment.
(c) That reserve, in the amount of $7,952.40, be approved for payment.
(Basis of Award - $157,495.00)
(Amount to Date - $159,048.00)
(Contract Performance Rating - 4.00)
(EEO Compliance Rating - 4.17)
The Commission V O T E D: that the work of Capeway Roofing Systems, Inc., Contractor under Contract No. P97-1869-C1A, be and hereby is accepted as completed as of May 31, 1997.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $151,095.60, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $7,952.40, for payment.

5. Report of Messrs. Faucher, Brooks and DeLuca, June 23,

recommending approval of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 001-003 - Communication Services - $5,524.28, on Contract No. P97-1790-M1A, with Allied Weatherproofing Company, Inc., for Service and Repairs to Swimming Pools and Service Buildings.
Account No. 2440-0110.
Following a lengthy discussion, it was noted that payment for the revision must be processed prior to July 1, 1997. Associate Commissioner Carr moved for approval of the revision in quantity, in the amount of $5,524.28, with the proviso that additional information concerning the item be provided for Commission review prior to the Commission meeting of July 31, 1997.
The Commission V O T E D: approval with the understanding that additional information regarding the item be provided to the Commission prior to the meeting of July 31, 1997.

1. Report of Messrs. Faucher, Brooks and Haider, June 19, on bids for Installation of a 10" Sewage Line in Hull, Central Service Complex, Contract No. P97-1907-C1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of P. J. Kennedy and Sons, Inc., of $154,383.75).
The Commission V O T E D: to accept the lowest bid received, that of P. J. Kennedy and Sons, Inc., of $154,383.75.

2. Report of Messrs. Faucher, Brooks and Haider, June 13, on bids for Service to Hydraulic Power Systems at Various Flood Control/Navigation Sites, Contract No. P97-1911-M1A.
(Mr. Brooks recommends acceptance of the corrected bid of S.H.F. Associates, in the amount of $48,140.00).
Messrs. Faucher, Brooks and Haider further recommend that the bid of The Entwistle Co., in the sum of $29,800.00, be rejected due to the fact that the firm altered the bid documents by changing the bid quantity on one item and did not include a unit price for another, thereby invalidating its bid.
The Commission V O T E D: to accept the corrected bid of S.H.F. Associates, in the amount of $48,140.00.
The Commission further V O T E D: to reject the bid of The Entwistle Co., in the sum of $29,800.00, due to the fact that the firm altered the bid documents by changing the bid quantity on one item and did not include a unit price for another, thereby invalidating its bid.

3. Report of Messrs. Faucher, Brooks and Jackson, June 20, requesting approval of an extension of time from June 30, 1997 to September 30, 1997, on Contract No. P92-1628-C5A, with Foye & Letendre Landscaping, Inc., for 1996 Parkway Landscape Improvements.
The Commission V O T E D: to approve an extension of time from June 30, 1997 to September 30, 1997, as requested by Messrs. Faucher, Brooks and Jackson in their report of June 20, 1997, to be effective, however, only upon receipt of the written consent of the bonding company.

4. Report of Messrs. Faucher, Brooks and Haider, June 19, submitting

for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1916-M1A, for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities within the Metro Parks System.
Anticipated Expenditure - FY98 - $80,000.00.
FY99 - $80,000.00
Contingent upon the availability of funds in Account No. 2440-0010.
Time for Performance - two years.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1916-M1A, for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities within the Metro Parks System.

1. Report of Messrs. Faucher, Brooks and DeLuca, June 23, recommending the following on Contract No. P95-1790-M1A, with Allied Weatherproofing Co., Inc., for Service and Repairs to Swimming Pools and Service Buildings within the Metro Parks System -
(a) That work be accepted as completed as of April 30, 1997.
(b) That Estimate No. 5 (Final), in the amount of $274,545.97, be approved for payment.
(c) That reserve, in the amount of $21,605.00, be approved for payment.
(Basis of Award - $679,625.00)
(Amount to Date - $821,701.63)
(Contract Performance Rating - pursuant to requirements of Chapter 149 - 80 with 100 being excellent).
(EEO Compliance - 1.60)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P95-1790-M1A, be and hereby is accepted as completed as of April 30, 1997.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $274,545.97, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $21,605.00, for payment.

2. Report of Messrs. Faucher, Brooks and Mayhew, June 13, requesting rejection of the low bid of Refrigeration Engineering & Contracting Company, Inc., (RECCO, Inc.), in the sum of $102,672.00, as sub-contractor on refrigeration on Contract No. P97-1894-C1A, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston, for failure to comply with the Contract Qualifications experience certification.
(Messrs. Faucher, Brooks and Mayhew further recommend acceptance of the second lowest refrigeration sub-contract bid received that of Lewis Refrigeration, of $137,000.00).
They further recommend that the Commission adjust the general bid price of $747,604.00 to $759,604.00, to reflect the difference of cost between the $125,000.00 allowance carried by the General Contractor and the $137,000.00 second low Refrigeration Sub-Bid

(+$12,000.00). Account No. 2440-0110.
The Commission V O T E D: to reject the low bid of Refrigeration Engineering & Contracting Company, Inc., (RECCO, Inc.), in the sum of $102,672.00, as sub-contractor on refrigeration on Contract No. P97-1894-C1A, for Improvements to the Francis L. Murphy Ice Skating Rink, South Boston, for failure to comply with the Contract Qualifications experience certification.
The Commission further V O T E D: to accept the second lowest refrigeration sub-contract bid received that of Lewis Refrigeration, of $137,000.00.
The Commission further V O T E D: to adjust the general bid price of $747,604.00 to $759,604.00, to reflect the difference of cost between the $125,000.00 allowance carried by the General Contractor and the $137,000.00 second low Refrigeration Sub-Bid (+$12,000.00).

1. Report of Miss Overton and Messrs. Faucher and Traficante, June 24, recommending the following on Contract No. P97-1884-C1A, with Costello Dismantling Co. Inc., for Demolition of Two Structures and Site Cleanup at the Abigail Adams Park, Weymouth -
(a) Ratification of the action of Acting Director Faucher resulting in a revision in quantities on Item No. 003 - Supply and Install Ordinary Fill - $7,500.00, at no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 5, 6 and 8.
(b) An extension of time from June 30, 1997 to July 8, 1997.

The Commission V O T E D: to ratify the action of Acting Director Faucher, which resulted in a revision in quantities on Item No. 003 - Supply and Install Ordinary Fill - $7,500.00, at no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 5, 6 and 8.
The Commission further V O T E D: to approve an extension of time from June 30, 1997 to July 8, 1997, as recommended by Miss Overton and Messrs. Faucher and Traficante, in their report of June 24, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Robert O'Connor, June 13, requesting approval of the 1997 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report. Messrs. McGinn and Robert O'Connor further request approval to close the controlled hunt areas outlined in Table 1 to all persons except those with official MDC access permits, for the following periods for each area -

Pelham - December 1-3
Prescott - December 8-10
Hardwick - December 1-3
New Salem - December 3-5
Petersham - December 3-5.

The Commission discussed at length the information presented by

Mr. Robert O'Connor regarding the controlled deer hunt at Quabbin Reservation.
Following a series of questions posed by the Commission and answered by Mr. O'Connor, the Commission V O T E D: to approve the request for the controlled deer hunt at Quabbin Reservation in principle. However, Mr. O'Connor was asked to provide an executive summary prior to the next Commission Meeting regarding forest growth and effect of browsing by the deer at Quabbin Reservation.
Following review of the new information, the Commission will determine, at the meeting of July 10, 1997, whether the controlled deer hunt will be for a period of two or three days.

1. Report of Messrs. McGinn and Robert O'Connor and Ms. Zilligen, June 18, on bids for North Dike Fencing - Wachusett Reservoir, Clinton, Contract No. WM97-084-C1B.
(Messrs. McGinn and Robert O'Connor and Ms. Zilligen recommend acceptance of the lowest bid received, that of South Shore Fence, of $50,416.01).
The Commission V O T E D: to accept the lowest bid received, that of South Shore Fence, of $50,416.01.

2. Report of Messrs. McGinn and Baratta, June 5, requesting authorization to amend Contract No. WM97-061-D1A, with Weston & Sampson Engineers, Inc., for Master Sewer Design - Phase II, West Boylston and Holden, to include additional engineering services which will be used to resolve design issues during the construction of the Fast Track Sewer in the area known as Pinecroft of Holden and West Boylston, at an estimated cost not to exceed $39,810.00.
Messrs. McGinn and Baratta further request authorization for the Contract Administrator to negotiate the cost of the amendment.
Account No. 2420-7961.
The Commission V O T E D: authorization to amend Contract No. WM97-061-D1A, with Weston & Sampson Engineers, Inc., for Master Sewer Design - Phase II, West Boylston and Holden.
The Commission further V O T E D: authorization for the Contract Administrator to negotiate the cost of the amendment.

3. Report of Messrs. McGinn and Baratta, June 5, requesting the following on Contract No. WM95-061-D1A, with Weston & Sampson Engineers, Inc., for Fast Track Sewer System Design, West Boylston/Holden -
(a) An extension of time from June 30, 1997 to July 31, 1997.
(b) An increase in compensation in an amount not to exceed $195,000.00, due to delays in negotiations and an increase in the level of effort by the Consultant.
(c) Authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Account No. 2420-7961.
The Commission V O T E D: to approve an extension of time from June 30, 1997 to July 31, 1997.
The Commission further V O T E D: to approve an increase in compensation in an amount not to exceed $195,000.00, due to

delays in negotiations and an increase in the level of effort by the Consultant.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

Action was taken upon the following matter relating to the Reservations and Historic sites Division:

1. Report of Mr. Broderick, June 22, submitting for approval and execution Management Agreement with Massachusetts Audubon Society for operation of the Trailside Museum, for the period from July 1, 1997 through June 30, 2002. Total Compensation to Massachusetts Audubon Society will be $1,750,000.00 - yearly rate $350,000.00 - subject to annual appropriation by the Legislature.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Management Agreement, dated June 26, 197, with the Massachusetts Audubon Society for operation of the Trailside Museum, for the period from July 1, 1997 through June 30, 2002, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the followng matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, June 20, requesting that the Commission amend its vote of May 1, 1997, approving a waiver of the fee to be paid by Recreational Sports, Inc., for the Permit to operate the Blue Hills Ski Area for the 1996-1997 season.
The Amendment will reimburse Slopes, Inc., a new corporation but same ownership as Recreational Sports, Inc., the $7,500.00 previously paid for the Permit. The assignment of the Permit was approved by the Commission on January 23, 1997.
(All other terms and conditions of the Commission votes of January 23, 1997 and May 1, 1997 concerning the Blue Hills Ski Area will remain as voted).
The Commission V O T E D: to approve the request of Mr. Doak, as outlined in his report of June 20, 1997, and amend its vote of May 1, 1997, approving a waiver of the fee to be paid by Recreational Sports, Inc., for the Permit to operate the Blue Hills Ski Area for the 1996-1997 season, all other terms and conditions of the Commission votes of January 23, 1997 and May 1, 1997 concerning the Blue Hills Ski Area will remain as voted.

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien, June 23, recommending that the MDC consent to a license between Massachusetts Highway Department and the Massachusetts Bay Transportation Authority for the operation of the temporary docking facility and landing at the new Charles River Dam and authorization for Commissioner Balfour to execute the License on behalf of the Commission.
The Commission V O T E D: to consent to a license between Massachusetts Highway Department and the Massachusetts Bay Transportation Authority for the operation of the temporary

docking facility and landing at the new Charles River Dam.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the License on behalf of the Commission.

1. Report of Mrs. O'Brien, June 23, submitting for approval Work Schedule, Project Summary, Project Justification and authorization to advertise Project No. PL-92-017-C2A, for Upper Charles River Reservation Restoration Program - Phase 1B (Newton and Waltham Segments).
Estimated Cost - $1,715,900.00.
Account No. 2410-7872 - $ 500,000.00.
ISTEA Enhancement Grant - $1,215,900.00.
(The awarding of this construction contract will be pending on approval of MDC's FY98 Spending Cap).
The Commission V O T E D: approved as recommended by Mrs. O'Brien in her report of June 23, 1997.
The Commission further V O T E D: authorization to advertise Project No. PL-92-017-C2A, for Upper Charles River Reservation

Action was taken upon the following Various Matters:

2. Report of Mr. Griffin, June 24, requesting an increase in the amount of $5,900.00, on Contract with Waste Management of Mass., Inc., for the direct disposal of trash at their two transfer stations.
The cost will be offset by a decrease in the amount of trash disposed of through the dumpster contract which will more than offset the increase.
The Commission V O T E D: Approved.

3. Report of Miss Overton, June 16, requesting approval of a Contract-Agreement with John A. Clarkeson, for Program Coordinating Services for the Massachusetts Watershed Initiative/Neponset River Watershed Project.
Compensation - not-to-exceed $44,067.00.
Time for Performance - ending June 30, 1998.
Account No. 2440-8755.
Ms. Overton further requests authorization for Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

4. Report of Mr. Gray, June 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13 acres of land owned by William F. McNamara, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $275,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Accounts Nos. 2420-8936 and 2440-8960.

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The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 13 acres of land owned by William F. McNamara, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 26, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying at the southwesterly corner of the intersection of Boutelle and Muddy Pond Roads, known as the "Palmer Land", more particularly bounded and described as follows:

Beginning at a Worcester County Highway bound at the northwesterly end of the curve forming the southwesterly corner of the intersection of Muddy Pond and Boutelle Roads, said bound marking the southeasterly terminus of the October 1964 Town of Sterling Record Layout of Boutelle Road and the beginning of the 1954 Worcester County Record Layout of Muddy Pond Road;

Thence Southeasterly, by the record layout of Muddy Pond Road, and a curve to the right with a radius of 67.47 feet, an arc distance of 77.70 feet to a WCH bound;

Thence S. 36° 12′ 00" W., 112.22 feet, by the road layout, to a WCH bound at a point of curvature;

Thence Southwesterly, by the road layout and a curve to the right with a radius of 770.00 feet, an arc distance of 595.72 feet, to a WCH bound;

Thence S. 80° 31′ 40" W., 121.04 feet, by the road layout, to an iron pipe at a point on the layout line at the base and to the rear of a maple tree, at land, formerly of Christian M. Kristoff, Jr., now of the Commonwealth of Massachusetts, Metropolitan District Commission, said point at the southwesterly corner of the parcel being described, being located N. 80° 31′ 40" E., 61.47 feet from a WCH bound on the southerly line of the above cited abutting parcel;

Thence N. 15° 19′ 04" W., 261.40 feet, along the remains of a barbed wire fence, to an MDC concrete bound;

Thence N. 32° 19′ 04" W., 232.32 feet, running along a ditch, to an iron pipe in the ditch;

Thence N. 38° 49′ 04" W., runninging southwesterly of the ditch, and crossing an intersecting ditch, to an MDC concrete bound at a point at other land, formerly of Christian M. Kristoff, Jr., now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last three courses being by the first mentioned parcel, formerly of Kristoff, now of the MDC;

Thence N. 42° E., 130.02 feet, more or less, to a point;

Thence N. 76° E., 132 feet, more or less, to a point;

Thence N. 83° 30′ E., 165 feet, more or less, to a point;

Thence N. 67° E., 271.26 feet, more or less, to a point at which a black oak tree once stood ;

Thence N. 85° E., 138.6 feet, more or less, to a point in the southwesterly line of the 1964 Town of Sterling Layout of Boutelle Road;

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Thence S. 32° 09' 00" E., 480.39 feet, more or less,by the road layout, to the first mentioned Worcester County Highway bound, being the point and place of beginning.

The above described parcel is supposed to contain 13 acres, more or less.

There is no record plan of the above parcel. In addition to previous deed descriptions of this property and abutters, the following plans have been used to derive the description set forth above:

1) The 1954 Worcester County Record Layout Plan of Muddy Pond Road, Sterling MA., Decree 1609, Plan H-3330-R, sheets 3 of 4 and 4 of 4, recorded with Worcester District Regisrty of Deeds as Plan 128 in Plan Book 196.

2) A stamped engineered survey plan entitled "Land Taking Plan For Watershed Protection, Sterling (Worcester County) Mass., Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Takings From John Christian Kristoff & Christian M. Kristoff, Jr.", dated June 28, 1993, prepared by Land Planning Engineering & Survey, which plan is on file at MDC Headquarters in the Real Property Office, 20 Somerset Street, Boston, MA.

3) The 1st sheet of the 2 sheet set of the Record Plan of Boutelle Road, a plan entitled "Plan Of Town Of Sterling On Boutelle Road In The Town Of Sterling Worcester County", dated October 1964, prepared by Willard B. Brown, R.L.S., and recorded with said Deeds as Plan 121 in Plan Book 291.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Muddy Pond Road and Boutelle Road which may be held by the supposed owner, as a result of his ownership of the above described property, and being the same premises described as the third tract in a deed from Ellen B. McNamara to William F. McNamara, dated February 13, 1981 and recorded with Worcester District Registry of Deeds in Book 7179, Page 173.

The above described property is represented upon Sterling Assessors Tax Map 57 as Parcel 15.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
William F. McNamara	$ 275,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $275,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1.

Report of Mr. Gray, June 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.914 acres of land owned by Walter J. Hurley, Jr., et ux, located in the City of Quincy, Massachusetts, and to approve an award of damages in the amount of $400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A; and further recommending that $27,000.00 be withheld from that amount until environmental remediation on site is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection; and further recommending that the Commission authorize the Division of Reservations and Historic Sites to negotiate management and such other agreements as may be necessary by and among the MDC and other public agencies, including but not limited to all other state environmental agencies within the Executive Office of Environmental Affairs, in order to properly renovate, repair, maintain and operate an ongoing boating service for the general public at this site, but provided that all such agreements contemplate and facilitate uses which are compatible and consistent with all applicable regulations and guidelines for a public boating area.
Account No. 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.914 acres of land owned by Walter J. Hurley, Jr., et ux, located in the City of Quincy, Massachusetts.
The Commission further V O T E D: to approve an award of damages in the amount of $400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and under General Laws, Chapter 79A.
The Commission further V O T E D: that $27,000.00 be withheld from that amount until environmental remediation on site is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection.
The Commission further V O T E D: to authorize the Division of Reservations and Historic Sites to negotiate management and such other agreements as may be necessary by and among the MDC and other public agencies, including but not limited to all other state environmental agencies within the Executive Office of Environmental Affairs, in order to properly renovate, repair, maintain and operate an ongoing boating service for the general public at this site, but provided that all such agreements contemplate and facilitate uses which are compatible and consistent with all applicable regulations and guidelines for a public boating area.

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ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 26, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 15 of the Acts of 1996, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, namely:

A certain tract of land situated in that part of the City of Quincy known as Houghs Neck, containing a total of 0.914 acres, more or less, and comprising those certain parcels described in the following deeds recorded with the Norfolk District Registry of Deeds: a deed from the City of Quincy to Walter J. Hurley, Jr., dated August, 1960, and recorded with said Deeds in Book 3836, Page 96; a deed from Marion P. Taylor to Walter Hurley, Jr., et ux, dated January 11, 1963, and recorded with said Deeds in Book 4046, Page 143; a deed from Robert C. Dunham to Walter J. Hurley, Jr., et ux, dated August 3, 1971, and recorded with said Deeds in Book 4761, Page 13; a deed from Harold W. Little, et ux, to Walter J. Hurley, Jr., et ux, dated November 16, 1976, and recorded with said Deeds in Book 5297, Page 479; and a deed from The First National Bank of Boston to Walter J. Hurley, Jr., et ux, dated August 11, 1986, and recorded with said Deeds in Book 7192, Page 276.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sea Street, Bay View Avenue and the unnamed right of way, which may be held by the supposed owners.

The above described property is represented upon the Quincy Assessors Tax Maps as Ward 1, Tax Map 1009, Plots 3 through 15 inclusive, Plot 19, and Plot 23.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Quincy, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is attached hereto and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Walter J. Hurley, Jr., a.k.a. Walter Hurley, Jr., and Joyce M. Hurley	$ 400,000.00

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The Commission further provides that the amount of $ 27,000.00 shall be withheld from the pro tanto award until environmental remediation on site is completed by the owners in accordance with regulations promulgated by the state Department of Environmental Protection. The Commission does hereby further provide that the MDC Division of Reservations and Historic Sites shall negotiate any and all management and such other agreements by and among the MDC and other public agencies, including but not limited to all other state environmental agencies within the Executive Office of Environmental Affairs, as may be necessary in order to properly renovate, repair, replace, maintain and operate an ongoing boating service for the general public at this site. Such agreements so negotiated by said Division shall contemplate and facilitate uses which are compatible and consistent with all applicable regulations and guidelines for a public boating area.

1. Report of Mr. Gray, June 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5 acres of land owned by John Bates, located in the Town of Hubbardston, Massachusetts, and to approve an award of damages in the amount of $15,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account Nos. 2420-8936 and 2440-8960.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5 acres of land owned by John Bates, located in the Town of Hubbardston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 26, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hubbardston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in said Hubbardston and containing approximately four acres and one hundred square rods by deed reference, and said to contain five acres, more or less, bounded and described as follows:

Beginning at an ancient corner on the line of land formerly of Rowland Woodward; thence running

S. 32 1/2° E. on said Woodward's line thirty-seven (37) rods; thence
N. 57 1/2° E. by the land formerly owned by David Lamb twenty (20) rods; thence
N. 32 1/2° W. thirty-seven (37) rods; thence
S. 57 1/2° W. twenty (20) rods to the first mentioned bound.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Dorothy M. Suojanen to John Bates, signed by the named grantor on April 3, 1986, and recorded with the Worcester County Registry of Deeds in Book 10998, Page 285.

The above described property is represented upon Hubbardston Assessors Tax Map 7 as Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
John Bates	$ 15,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $15,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:55 a.m., to meet on Thursday, July 10, 1997, at 9:00 a.m.

William F. Rushe
Secretary

Record of the Three Thousand Eight Hundred and Seventeenth (3817th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 10, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 19, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P97-1906-C1A, dated July 10, 1997, with Multitemp Mechanical Corp., for Replacement of Dehumidifiers at Reilly Rink, Brighton, Shea Rink, Quincy, Bryan Rink, West Roxbury and Murphy Rink, South Boston.

2. Contract No. P97-1909-M1A, dated July 10, 1997, with P. J. Kennedy & Sons, Inc., for Maintenance, Service and Repairs to H.V.A.C. Systems at Various Flood Control/Navigation Sites.

3. Contract No. P97-1907-C1A, dated July 10, 1997, with P. J. Kennedy and Sons, Inc., for Installation of a 10" Sewage Line in Hull, Central Service Complex.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Miss Overton and Messrs. Faucher and Orfant, July 2, requesting authorization to advertise Project No. P97-1881-C1A, for Boston Harbor Beaches: Island Pier Repair Project: Drop Landing Repairs.
Estimated Cost - $60,000.00.
Time for Performance - four months.
Account No. 2440-8889.
The Commission V O T E D: authorization to advertise Project No. P97-1881-C1A, for Boston Harbor Beaches: Island Pier Repair Project: Drop Landing Repairs.

5. Report of Messrs. Faucher and Thurlow, June 4, recommending the following on Contract No. P89-1561-C7A, with West Princeton Corp., for Cherry Tree Planting (1997) -
(a) That work be accepted as completed as of May 31, 1997.
(b) That Estimate No. 1 (Final), in the amount of $9,262.50, be approved for payment.
(c) That reserve, in the amount of $487.50, be approved for payment.
(Basis of Award - $9,750.00)
(Amount to Date - $9,750.00)
(Contract Performance Rating - 4.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of West Princeton Corp., Contractor under Contract No. P89-1561-C7A, be and hereby is accepted as completed as of May 31, 1997.

The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $9,262.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $487.50, for payment.

1. Report of Messrs. Faucher, Abounaja and Park, June 6, recommending approval of the request of RHD Construction Co., Inc., contractor on Contract No. P97-1898-C1A, for Unquity Road Landfill Closure, Milton, to engage the services of the following sub-contractors -
Carr-Dee Corporation - $ 6,000.00
Construction and Installation of Environmental Monitoring Systems.
Environmental Network, LLC - $34,440.00
Supply and Install 40 mil HDPE Textured Liner.
(At no increase in contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher, Abounaja and Park in their report of June 6, 1997.

2. Report of Messrs. Faucher and Mayhew, March 31, recommending the following on Contract No. P96-1855-C1A, with Allied Weatherproofing Co., Inc., for Installation of New Roofing at Connery Rink, Lynn -
(a) That work be accepted as completed as of December 31, 1996.
(b) That Estimate No. 2 (Final), in the amount of $47,155.97, be approved for payment.
(c) That reserve, in the amount of $8,521.89, be approved for payment.
(Basis of Award - $147,000.00)
(Amount to Date - $170,437.86)
(Contract Performance Rating - 67 with 100 being excellent. Pursuant to requirements of Chapter 149).
(EEO Compliance - 3.66)
The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P96-1855-C1A, with Allied Weatherproofing Co., Inc., be and hereby is accepted as completed as of December 31, 1996.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $47,155.97, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $8,521.89, be approved for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Executive Summary of Messrs. McGinn and Robert O'Connor, July 7, concerning forest growth and the effect of browsing by deer at Quabbin Reservation.
(This information was requested by the Commission at its meeting of June 26, to assist the Commission in determining whether the 1997 Controlled Deer Hunt will be for a period of two or three days).

At this point, a lengthy discussion took place in which Miss Eileen Simonson and William Elliott, Co-Executive Directors of Water Supply Citizens Advisory Committee and Robie Hubley of the Massachusetts Audubon Society, spoke of their concerns regarding what they felt was a limited public process used to evaluate the 1997 Quabbin Deer Hunt.
Miss Simonson stated that an additional public workshop should be held to further review the deer hunt information, which was provided at a public meeting on May 21, 1997, in Belchertown.
Following a lengthy question and answer period, the Commission V O T E D: to Hold Over the item in order to further evaluate the information provided by the Watershed Management Division.
Commissioner Balfour stated that public comments would be accepted for Commission review until next week's Commission meeting.

1. Report of Messrs. McGinn and Kane, June 23, requesting approval of Alteration No. 4, for modifying the installation for the roadboxes at the observation wells, in the amount of $2,230.00, increasing the cost to $1,081,917.73, on Contract No. WM93-060-C1A, with Wes Construction Corp., for Spillway Improvements and Embankment Repairs to Sudbury Reservoir Dam, Southborough.
Funding for the Alteration available in Account No. 2422-1442.
The Commission V O T E D: to approve Alteration No. 4, in the amount of $2,230.00.

Action was taken upon the following Various Matter:

2. Report of Ms. Anderson, June 30, requesting approval and execution of an Agreement between the MDC, the Massachusetts State Police and the City of Boston Transportation Department, to provide for joint enforcement of parking and towing regulations on a section of the MDC's Fenway, specifically from #20, the Fenway, through and including #34.
Residents of the area and representatives of the Mayor's Office, City Councilor Keane's Office, Boston Transportation Department, Representative Byron Rushing and the Fenway Civic Association, spoke and noted that todays request for joint enforcement of parking and towing regulations was a step in the right direction.
It was noted that most of the parking spots in the area are currently being taken by students and commuters.
Several of those in attendance requested that the Agreement be expanded to include additional areas in the Fenway.
Following a lengthy discussion, the Commission V O T E D: to approve and execute the Agreement with the understanding that at the end of a 90 day trial period, the new parking and towing regulations will be evaluated to determine if the program should be expanded. At that time public notice will be given to interested parties and they will be offered an opportunity for further imput.
The Secretary then submitted for signature Agreement, dated July 10, 1997, between the MDC, the Massachusetts State Police and the City of Boston Transportation Department, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, July 7, recommending that the Commission approve and execute a Joint Management and License Agreement with the City of Quincy, to allow the City of Quincy to fill, cap and close designated landfills, and to construct and operate multi-purpose recreational fields, within the Quarry Hills section of the MDC Blue Hills Reservation, pursuant to and in accordance with the provisions of said Agreement, at no cost to the Commonwealth of Massachusetts or to the Commission.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Management and License Agreement, dated July 10, 1997, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, July 9, on behalf of the Selection Committee, recommending approval of the selection of vendors for In-Line Skating Services for the period from July 10, 1997 to July 9, 1999, as follows:

IN MOTION PROMOTIONS

Riverbend Park on Sundays by the Weld Boat House 11:00 a.m. to 7:00 p.m. (April through November)
Hatch Shell - Mondays and Tuesdays 5:00 p.m. to 8:00 p.m.
Nahant Beach - Monday through Sunday 9:00 a.m. to 7:00 p.m.
Revere Beach - Monday through Sunday 9:00 a.m. to 7:00 p.m.
Nantasket Beach - Monday through Sunday 9:00 a.m. to 7:00 p.m.
*Rentals are $5.00 per hour, $15.00 per day, $10.00 per lesson.
*300-375 pairs of skates available.
*** Total compensation to the Commonwealth $39,840.00**
1) a minimum of twenty free clinics.
2) stunt shows for the general public at MDC locations and dates to be agreed upon.
3) implement an inner city in line skating program.
4) donation of skates and equipment (149 pairs of skates and protective equipment, including in-line hockey) to inner city youth at the end of program.

ERIC FLAIM'S MOTION SPORTS

Little Greenough Boulevard - Sundays 11:00 a.m. to 7:00 p.m. (April through November)
The Esplanade, by the Dartmouth Street Sanitary - Monday through Sunday - 9:00 a.m. to 7:00 p.m.
*Rentals are $5.00 per hour, $13.00 per day, additional $5.00 for lesson.
*50 pairs of skates available.
***Total compensation to the Commonwealth $2,500.00 plus 15% of earnings.**
1) free skate rentals and clinics with Eric Flaim appearances at MDC events

SKI MARKET

Artesani Park - Monday through Sunday - 9:00 a.m. to 7:00 p.m.

SKI MARKET (CON.-)

*Rentals are $5.00 per hour, $10.00 per day, group lesson $15.00, private lesson $30.00.
*80 pairs of skates available.
***Total compensation to the Commonwealth $13,150.00.**
1) ten free skating clinics.
2) donation of skates to underprivileged youth (no number indicated)
3) five free clinics to MDC employees
4) provide demo van and staff for five MDC events, to be determined by the MDC

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Riverbend Park - Sundays across from Mahoney's Flower Market - 11:00 a.m. to 7:00 p.m. (April through November).
*70 pairs of skates available
***Compensation to the Commonwealth are skate and equipment rentals, clinics and repairs at no-cost to the public.**

The Committee recommends that details including compensation to the Commonwealth relating to specific programs be negotiated between the MDC's Legal and Contract Administration Offices and each vendor.

It is further recommended that Commissioner Balfour be authorized by the Commission to execute a special use permit that has been reviewed by the Legal and Contract Administration Offices.

The Commission V O T E D: to approve the selection of vendors for In-Line Skating Services for the period from July 10, 1997 to July 9, 1999, as recommended by Mr. Doak in his report of July 9, 1997.

The Commission further V O T E D: that details including compensation to the Commonwealth relating to specific programs be negotiated between the MDC's Legal and Contract Administration Offices and each vendor.

The Commission further V O T E D: to authorize Commissioner Balfour to execute, on behalf of the Commission, a special use permit that has been reviewed by the Legal and Contract Administration Offices.

Adjourned at 10:40 a.m., to meet on Thursday, July 24, 1997, at 9:00 a.m.

William J. Bulfinch
Secretary

Record of the Three Thousand Eight Hundred and Eighteenth (3818th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 24, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on June 26, 1997 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P97-1911-M1A, dated July 24, 1997, with S.H.F. Associates, for Service Hydraulic Power Systems at Various Flood Control/Navigation Sites.

2. Contract No. P97-1910-M1A, dated July 24, 1997, with Inner Space Services, Inc., for Service to Underwater Structures at Various Flood Control/Navigation Sites.

3. Third Amendment, dated July 24, 1997, to Contract-Agreement No. P92-1626-D1A, with Bruce Campbell & Associates, Inc., for Professional Traffic Engineering Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Sacco, July 1, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation of Lynn Shore Drive, Lynn -

Item No. 002-020	**$ 21,000.00**
Class A Trench Excavation	
Item No. 003-020	**$ 40,500.00**
Dense Graded Stone	
Item No. 006-013	**$ 3,600.00**
24" Concrete Pipe	
Item No. 008-011	**$ 3,750.00**
Drainage/Sanitary Structure - Rebuilt	
Item No. 012-030	**$ 97,500.00**
Temporary Bituminous Patch	
Item No. 013-010	**$ 7,000.00**
Water for Dust Control	
Item No. 027-010	**$ 10,000.00**
Reflectorized Drum	
Item No. 028-060	**$ 15,000.00**
Temporary Lines - 4"	
Item No. 028-061	**$ 2,000.00**
Temporary Lines - 6"	
	Total = $200,350.00

(At no additional Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - Unclassified Excavation).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Jackson, July 11, requesting acceptance of a credit from the contractor of $0.10/ a ton, for beach sand supplied, for a total of $3,500.00, as the sand supplied was of acceptable gradation and very clean and did not require washing as called for in the project, on Contract No. P95-1784-C2A, with Jay Cashman, Inc., for Phase I - South Boston Beaches.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Jackson in their report of July 11, 1997.

2. Report of Messrs. Faucher, Abounaja and Park, June 19, recommending that the Commission approve Extra Work Order No. 1, in the amount of $37,100.00, to distribute and grade 5300 cubic yards of material on site, at a cost of $7.00 per cubic yard, on Contract No. P97-1898-C1A, with RHD Construction Co., Inc., for Unquity Road Landfill Closure in Milton, MA.
Messrs. Faucher, Abounaja and Park, further recommend that the Commission ratify the Division's directive to complete the extra work.
Funds are available in Account No. 2490-0009.
(Extra Work Order No. 1, is a result of the consultant's design error, a claim shall be filed with GZA GeoEnvironmental, Inc., to recover the total cost to the Commission).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $37,100.00.
The Commission further V O T E D: to ratify the Division's directive to complete the extra work, as recommended by Messrs. Faucher, Abounaja and Park in their report of June 19, 1997.

3. Report of Messrs. Faucher and Mayhew, July 16, recommending that the Commission ratify the action taken by the Engineering and Construction Division directing the Contractor to perform extra work resulting in Extra Work Order No. 5, and further to approve Extra Work Order No. 5, in the amount of $3,036.21, to repair and relocate the electric feed to the Watertown Swimming Pool, on Contract No. PL92-017-C1A, with D & C Construction Co., for Upper Charles River Reservation Restoration - Phase I.
Funding is available in Account No. 2490-0017.
The Commission V O T E D: to ratify the action taken by the Engineering and Construction Division directing the Contractor to perform extra work which resulted in Extra Work Order No. 5.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $3,036.21.

4. Report of Messrs. Faucher, Brooks, Mountjoy and Kane, July 16, requesting permission to readvertise Project No. P97-1913-C1A, for Historic Stables Renovation, New Charles River Basin, due to no bids being received by the stipulated deadline.
Messrs. Faucher, Brooks, Mountjoy and Kane further request that the completion time be extended to 75 days after the notice to proceed is given.
Estimated Cost - $150,000.00.
Funds are available in Account No. 2449-0003 of the Central Artery/Tunnel Mitigation Agreement.
The Commission V O T E D: permission to readvertise Project No.

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P97-1913-C1A, for Historic Stables Renovation, New Charles River Basin.
The Commission further V O T E D: approval to extend the completion time to 75 days after the notice to proceed is given, as requested by Messrs. Faucher, Brooks, Mountjoy and Kane in their report of July 16, 1997.

1. Report of Messrs. Faucher, Brooks and Haider, July 15, recommending that the Commission ratify the action of the Engineering and Construction Division resulting in revisions in quantities on Contract No. P97-1903-C1A, with R. Zoppo Corporation, for Repairs to the 4" Plastic Water Line to George's Island and to approve the revisions in quantities, in the amount of $19,751.00, as follows -

Item No. 001-060	**$ 1,500.00**
4" Diameter Water Pipe	
Item No. 001-010	**$ 3,000.00**
Divers and Equipment	
Item No. 001-030	**$ 2,500.00**
WorkBarge Crane and Crew	
Item No. 001-040	**$ 250.00**
Dive Station	
Item No. 001-050	**$12,500.00**
Fusion Machine Operator and Power Supply	
Item No. 001-080	**$ 1.00**
Water Jet System	
Sub-Total =	**$19,751.00.**

Due to the magnitude of the increased scope of work in the contract, Messrs. Faucher, Brooks and Haider, further request that the Commission approve funding in the amount of **$5,000.00** for **Item No. 001-070** - 30 Anchor Blocks w/Collar Bolts, which was previously approved by the Commission on June 11, 1997, at no increase in Contract cost.
Funding is available, for the **total amount of $24,751.00,** in Account No. 2440-8956.
The Commission V O T E D: to ratify the action of the Engineering and Construction Division which resulted in revisions in quantities on Contract No. P97-1903-C1A.
The Commission further V O T E D: to approve the revisions in quantities, in the amount of $19,751.00.
The Commission further V O T E D: to approve funding in the amount of $5,000.00 for Item No. 001-070 - 30 Anchor Blocks w/Collar Bolts, which was previously approved by the Commission on June 11, 1997, at no increase in Contract cost, as recommended by Messrs. Faucher, Brooks and Haider in their report of July 15, 1997.

2. Report of Mr. Faucher and Mrs. Graves-Jones, July 18, recommending approval of revisions in quantities on the following items on Contract No. P96-1822-M1A, with Markings Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC -

Item No. 001-010	**$ 1,078.00**
4" Reflectorized Line (Paint)	
Item No. 002-010	**$ 869.00**
6" Reflectorized Line (Paint)	

Item No. 003-010 **$ 9,328.00**
4" Reflectorized Line (Thermo)

Total = $11,275.00

(At no additional Contract cost as the revisions will be offset by unused quantities in Item No. 004-010 - 12" Reflectorized Line (Paint), Item No. 005-010 - Reflectorized Line (Thermoplastic) and Item No. 008-010 - Pavement Marking Removal (Paint).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Executive Summary of Messrs. McGinn and Robert O'Connor, July 7, concerning forest growth and the effect of browsing by deer at Quabbin Reservation.
(This information was requested by the Commission at its meeting of June 26, to assist the Commission in determining whether the 1997 Controlled Deer Hunt will be for a period of two or three days).
Mr. Robert O'Connor further briefed the Commission on the proposed three day hunt.
Associate Commissioner Carr thanked Messrs. McGinn, O'Connor and Watershed Management staff, for the informative material presented regarding forest regeneration and the deer hunt. He noted that it appeared that the hunt and regeneration of the forest are working well.
Associate Commissioner Carr then noted that the Commission had received many letters from concerned citizens questioning whether the hunt is expanding as a recreational activity rather that a maintenance tool. Some citizens, he stated, also expressed concern that the process used by the Division did not provide for an in-depth review of the program or a detailed report for the general public as agreed to by the MDC in the report of July 1, 1997.
Following a lengthy discussion, the Commission asked that in the future that the Division provide the public with additional information concerning the activity prior to the annual public hearing concerning the controlled deer hunt at Quabbin Reservation.
The Commission then noted that the controlled deer hunt and the groupings of six hunters was approved at the Commission meeting of June 26, 1997. Therefore, no further vote was necessary on these two matters.
The Commission then V O T E D: to approve the controlled deer hunt at Quabbin Reservation for a period of two days, as follows -

Pelham	- December 1 - 2
Prescott	- December 8 - 9
Hardwick	- December 1 - 2
New Salem	- December 3 - 4
Petersham	- December 3 - 4.

2. Report of Messrs. McGinn and Robert O'Connor, June 27, 1997, on proposals for the purchase of forest products located on the Quabbin Reservoir and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid,

that of Bosse Logging, of $610.00; to purchase approximately 33 cords of firewood on Timber Lot No. 140-A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $2,627.78; to purchase approximately 9,629 board feet of timber, 161 cords of firewood and 40 cords of pulp on Timber Lot No. 141 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Peter Hook, of $1,101.00; to purchase approximately 52 cords of firewood on Timber Lot No. 142 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $8,709.25; to purchase approximately 56,040 board feet of timber, 122 cords of firewood and 34 cords in tops on Timber Lot No. 696AA - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ellsworth Sawmill, of $18,037.02; to purchase approximately 128,811 board feet of timber, 302 cords of firewood, 39 cords of tops and 21 tons of pulp on Timber Lot No. 776 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros. Lumber, of $40,157.78; to purchase approximately 151,156 board feet of timber, 147 cords of firewood, 55 cords of firewood in tops and 13 tons of pulp on Timber Lot No. 778 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee, of $10,178.00; to purchase approximately 57,314 board feet of timber, 169 cords of firewood, 19 cords in tops and 6 tons of pulp on Timber Lot No. 779 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of $28,011.80; to purchase approximately 362,395 board feet of timber, 80 cords of firewood and 190 tons of pulp on Timber Lot No. 780 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Hubbard Forest Industries, of $13,131.87; to purchase approximately 239,679 board feet of timber, 323 cords of firewood, 37 cords in tops and 173 tons of pulp on Timber Lot No. 781 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Leclerc & Son, of $79,696.68; to purchase approximately 589,934 board feet of timber, 214 cords of firewood, 60 cords in tops and 10 tons of pulp on Timber Lot No. 782 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of H. C. Haynes, Inc., of $22,693.25; to purchase approximately 147,490 board feet of timber and 85 cords of firewood on Timber Lot No. 783 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of $48,215.00; to purchase approximately 228,300 board feet of timber, 109 cords of firewood and 63 cords in tops on Timber Lot No. 784 - Quabbin

Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of $51,981.70; to purchase approximately 203,140 board feet of timber, 210 cords of firewood and 87 cords in tops on Timber Lot No. 785 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Native American Hardwood, of $28,305.00; to purchase approximately 110,490 board feet of timber, 165 cords of firewood and 67 cords in tops on Timber Lot No. 786 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $31,846.00; to purchase approximately 138,030 board feet of timber, 305 cords of firewood and 67 cords in tops on timber Lot No. 787 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $22,051.07; to purchase approximately 253,367 board feet of firewood, 165 cords of firewood and 66 tons of pulp on Timber Lot No. 788 - Quabbin Reservoir Watershed.

1. Report of Mr. McGinn, July 8, requesting approval and execution of Amendment No. 3, for additional services, projected to be required to conclude the on-going negotiations within the present contract period, in the amount of $20,000.00, increasing the cost to $76,940.00, on Contract No. WM95-186-S1A, with Burns and Levinson, LLP, for Sewer Mediation Services - Rutland, Holden, West Boylston.
Funding available in Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated July 24, 1997, to Contract No. WM95-186-S1A, with Burns and Levinson, LLP, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. McGinn and Misslin, June 24, on bids for Sewer Line Installation - MDC Wilson Street Maintenance Yard, Clinton, MA, Contract No. WM97-078-C1A.
(Messrs. McGinn and Misslin request rejection of the only bid received, that of WES Construction, of $86,900.00, due to the bid being 74% above the estimated cost and authorization to readvertise the project).
The Commission V O T E D: to reject the only bid received, that of WES Construction, of $86,900.00, due to the bid being 74% above the estimated cost.
The Commission further V O T E D: authorization to readvertise the project.

3. Report of Messrs. McGinn and Kane, July 11, requesting approval for the Division of Watershed Management, with the assistance and guidance of the Contract Administrator, to select and negotiate a Contract for Assistance with Environmental Permitting, Regulating Dam No. 5, Southborough, MA, with a consultant, who normally performs this type of service for the Commission.

Estimated cost - $10,000.00.
Time for Performance - within 120 days of the Notice to Proceed.
Funds are available in Account No. 2440-1400.
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Kane in their report of July 11, 1997.

1. Report of Messrs. McGinn and Baratta, July 11, requesting approval of Amendment No. 5, which extends the time for performance from July 31, 1997 to September 30, 1997, to insure continuity in construction inspection and administration services, on Contract-Agreement No. WM95-061-D1A, with Weston & Sampson Engineers, for Fast Track Sewer System Design, West Boylston/Holden.
Messrs. McGinn and Baratta further request that the Commission authorize the Contract Administrator to prepare Amendment No. 5, and further to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.
The Commission V O T E D: to approve Amendment No. 5, on Contract-Agreement No. WM95-061-D1A, with Weston & Sampson Engineers, for Fast Track Sewer System Design, West Boylston/Holden.
The Commission further V O T E D: to authorize the Contract Administrator to prepare Amendment No. 5.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Amendment on behalf of the Commission.

2. Report of Messrs. McGinn and Kane, June 30, recommending approval of Extra Work Order No. 3, in the amount of $1,227.00, for application of two (2) coats of wood preservative/sealer to new timber stairs and handrails, Sudbury Reservoir Dam, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough, MA.
Funding is available in Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 3, in the amount of $1,227.00.

3. Report of Messrs. McGinn and Kane, July 2, recommending approval of Extra Work Order No. 4, in the amount of $6,374.00, to clean and abandon in place existing underground storage tank, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough, MA.
Funding is available in Account No. 2422-1442.
The Commission V O T E D: to approve Extra Work Order No. 4, in the amount of $6,374.00.

4. Report of Messrs. McGinn and Kane, July 14, recommending approval of Extra Work Order No. 5, in the amount of $76,472.00, for repointing to achieve uniform restoration/tolerances, of the joints of the downstream spillway face, on Contract No. WM93-060-C1A, with WES Construction Corp., for Spillway Improvements and Embankment Repairs, Sudbury Reservoir Dam, Southborough, MA.
Funding is available in Account No. 2422-1442.

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The Commission V O T E D: to approve Extra Work Order No. 5, in the amount of $76,472.00.

Adjourned at 10:10 a.m., to meet on July 31, 1997, at 9:00 a.m.

William F. Crushon
Secretary

Record of the Three Thousand Eight Hundred and Nineteenth (3819th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 31, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on July 10, 1997 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

1. Amendment No. 1, dated July 31, 1997, to Contract-Agreement No. P95-1784-D1A, with Carol R. Johnson Associates, Inc., for Rehabilitation of South Boston Beaches.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Ms. Pfetsch, July 23, recommending approval of the request of D. Clancy and Sons, Inc., Contractor on Contract No. P94-1749-C1A, for Captain's House Renovations, Blue Hills Reservation, Milton, to engage the services of TRI Construction Co., Inc., to install paving, at a value of $7,500.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Ms. Pfetsch, July 24, recommending approval of the action of Acting Director Faucher on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton, as follows -

Alteration No. 2	**+ $**	**180.40**
Changing the specified sink to a handicap accessible sink.		
Extra Work Order No. 3	**$**	**10,740.07**
Additional Carpentry and Porch Rebuilding		
Extra Work Order No. 4	**$**	**200.50**
Add an Additional Exterior Hose Bib		
Extra Work Order No. 5	**$**	**827.83**
Replace Two Columns on Porch Rather than Reuse		
Extra Work Order No. 6	**$**	**556.81**
Window Stool Extensions for Replacement Windows		

Funding from Account No. 2440-8952.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Alteration No. 2 and Extra Work Order Nos. 3, 4, 5, and 6, on Contract No. P94-1749-C1A, with D. Clancy & Sons, Inc., for Captain's House Renovations, Blue Hills Reservation, Milton.
The Commission further V O T E D: to approve Alteration No. 2, in the amount of $180.40.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $10,740.07.
The Commission further V O T E D: to approve Extra Work Order

No. 4, in the amount of $200.50.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $827.83.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $556.81.

1. Report of Messrs. Faucher and Abounaja, July 23, recommending approval of revisions in quantities on the following items on Contract No. P95-1789-C1A, with Zenone, Inc., for Contaminated Site Cleanup at Various MDC Facilities -

Item No. 003-001	**$ 500.00**
Precision Leak Detection Test	
Item No. 003-005	**$ 698.75**
Bituminous Concrete Pavement Repair	
Item No. 003-006	**$1,050.00**
Loaming and Seeding	
Total =	**$2,248.75**

(The cost of the revisions will be offset by unused quantities in Item No. 001-004, Remove and Dispose of 16,000 gal. to 20,000 gal. Underground Storage Tank).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher, Brooks and Haider, July 25, recommending that the Commission approve the action of Acting Director Faucher resulting in a revision in quantities on Item No. 002-010 - Parts and Materials Complete in Place - $7,198.18, on Contract No. P96-1843-M1B, with The Entwistle Company, Inc., for Service to Hydraulic Power Systems at Various Flood Control and Navigation Sites.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010 - Hydraulic Services).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in a revision in quantities on Item No. 002-010 - Parts and Materials Complete in Place - on Contract No. P96-1843-M1B, with The Entwistle Company, Inc., for Service to Hydraulic Power Systems at Various Flood Control and Navigation Sites.
The Commission further V O T E D: to approve the revision in quantities in the amount of $7,198.18.

3. Report of Messrs. Faucher and Jackson, July 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P97-1917-C1A, for Interpretive Plaza at Don Kent Park, Quincy Shore Drive, Quincy.
Estimated Cost - $20,000.00.
Time for Performance - Three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P97-1917-C1A, for Interpretive Plaza at Don Kent Park, Quincy Shore Drive, Quincy.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Baratta, July 23, recommending approval of the preparation of a Master Grant Agreement for Sewer Construction and Related Services with the Town of West Boylston, in an amount not-to-exceed $747,417.37.
Messrs. McGinn and Baratta further request authorization for Commissioner Balfour to execute the Master Grant Agreement on behalf of the Commission.
Funding from Account No. 2420-7961.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Master Grant Agreement on behalf of the Commission.

2. Report of Mr. McGinn and Misses Overton and Austin, July 23, requesting approval of the following on Contract No. WM96-017-S1A, with the University of Massachusetts - Amherst, for Contaminant Transport Modeling and the Impact of Watershed Management Activities on Water Quality in Quabbin Reservoir - Phase II -
(a) An increase in the budget of $9,200.00.
(b) An extension of time from August 31, 1997 to January 31, 1998.
Account No. 2420-1400.
The Commission V O T E D: Approved as recommended by Mr. McGinn and Misses Overton and Austin in their report of July 23, 1997.

3. Report of Messrs. McGinn and Kane, July 8, recommending the following on Consultant Contract No. WM86-004-S1B, Design Update, for Three Water Supply Dams, Framingham -
(a) Approval of the award of Consultant Contract No. WM86-004-S1B, for Design Update, Three Water Supply Dams, Framingham to Camp Dresser & McKee, Inc.
(b) Setting an upset limit of $50,000.00, for the Contract.
Time for Performance - twenty months from date of notice-to-proceed.
Account No. 2420-8881.
The Commission V O T E D: Approved as recommended by Messrs. McGinn and Kane in their report of July 8, 1997.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien, July 23, recommending approval of an Amendment to Contract No. PL95-038-D1A, with Comprehensive Environmental, Inc., for New Charles River Basin, North Point Park, RAM Plan and Risk Characterization Services - Under Chapter 21E, which calls for additional tasks in the scope of the project at an increase in cost of $24,886.70.
Account No. 2449-1002.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

5. Report of Mr. Jewett, July 25, recommending approval of the

request of Mr. Philip E. Steinberg, Ph.D. of Steinberg & Clark, to independently analyze and disseminate data that was gathered under MDC Contract No. WM95-008-S1A, for Wachusett Reservoir Recreational Study.
The Commission V O T E D: to approve the request of Mr. Philip E. Steinberg, Ph.D. of Steinberg & Clark, to independently analyze and disseminate data that was gathered under MDC Contract No. WM95-008-S1A, for Wachusett Reservoir Recreational Study, as recommended by Mr. Jewett in his report of July 25, 1997.

1. Report of Mr. Jewett, July 25, recommending that the Commission amend its vote of April 10, 1997 approving Contract No. WM97-061-D3A, with Camp Dresser & McKee, Inc., (CDM), for Construction Inspection Services for Fast Track Sewer Project, Pinecroft Area, West Boylston/Holden, by increasing the estimated cost not-to-exceed from $700,000.00, subject to negotiations, to $948,591.00, due to the following:
   1. The construction contractor, Roads Corporation, has increased its work crews from 2 to 4, thereby requiring additional inspectional forces be provided by CDM to cover sewer pipe installation (3 locations) and the construction of the pumping stations.
   2. The addition of a Community Relations service not required in the original contract procurement.

Account No. 2420-7961.
The Commission V O T E D: to amend its vote of April 10, 1997 approving Contract No. WM97-061-D3A, with Camp Dresser & McKee, Inc., (CDM), for Construction Inspection Services for Fast Track Sewer Project, Pinecroft Area, West Boylston/Holden, by increasing the estimated cost not-to-exceed from $700,000.00, subject to negotiations, to $948,591.00, as recommended by Mr. Jewett in his report of July 25, 1997.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, July 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.87 acres of land owned by Richard P. Gadilauskas, et al, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $53,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.87 acres of land owned by Richard P. Gadilauskas, et al, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 31, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the southwesterly side of Upper North Row Road, in the said Town of Sterling, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the parcel herein being described, at a drill hole in the stone wall delineating the southwesterly line of Upper North Row Road, said point being the northwesterly corner of Lot 4, as depicted upon the recorded survey plan referenced at the conclusion of this description, said Lot 4 being land, now or formerly, of James and Wendy Merrill;

Thence S. 67° 36′ 00" W., 486.78 feet, by Lot 4, land, now or formerly, of Merrill, to the iron rod marking the southwesterly corner of Lot 4 and the

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northernmost point of Parcel "A", land, now or formerly, of James A. & Donna Lee Reusch;

Thence S. 76° 18′ 06" W., 197.84 feet, by Parcel "A", land, now or formerly, of Reusch, to an iron pin marking the northeasterly corner of Lot 2, other land, now or formerly, of Richard Gadilauskas & Nancy E. Brady;

Thence On the same bearing, 125.86 feet, to the iron pin marking the southeasterly corner of the parcel herein being described;

Thence N. 21° 53′ 11" W., 129.00 feet, to a drill hole in the stone wall delineating the southeasterly line of the "Goodell Lot", property formerly of John V. Blanchard, now of the Commonwealth of Massachusetts, Metropolitan District Commission, the last two courses being by Lot 2, other land, now or formerly, of Gadilauskas & Brady;

Thence N. 68° 06′ 49" E., 39.38 feet, by the stone wall, to a point;

Thence N. 68° 31′ 36" E., 183.88 feet, by the stone wall, to a point;

Thence N. 69° 18′ 09" E., 58.87 feet, by the stone wall, to a point;

Thence N. 68° 08′ 08" E., 468.89 feet, by and through the stone wall, to a drill hole in the stone wall marking the southwesterly line of Upper North Row Road, the last four courses being by land of the Commonwealth;

Thence S. 31° 29′ 18" E., 82.51 feet, by the stone wall segments and the southwesterly line of the road, to a drill hole;

Thence S. 42° 18′ 26" E., 66.07 feet, by the wall and the line of the road, to another drill hole;

Thence S. 59° 55′ 15" E., 31.42 feet, by the wall and the line of the road, to the first mentioned drill hole, being the point and place of beginning.

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Containing 2.87 acres, more or less, as shown as Lot 3 upon a recorded survey plan entitled "Land In Sterling, Mass. Surveyed For Reusch Brothers Realty Trust", dated January 1981, prepared by Charles A. Perkins Co. Inc., and recorded with Worcester District Registry of Deeds as Plan 53 in Plan Book 484.

Also expressly taken herein and hereby is the right to enter and leave the above described premises by way of a 25 foot wide right of way crossing the northwesterly edge of Lot 2 as shown upon the above referenced survey plan, and as reserved, for access and egress to and from Lot 3, in a deed from James A. Reusch and Bruce P. Reusch, Trustees of Reusch Brothers Realty Trust, to Richard P. Gadilauskas, dated October 8, 1982, and recorded with said Deeds at Book 7584, Page 254.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Upper North Row Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from James A. Reusch & Bruce P. Reusch, Trustees of Reusch Brothers Realty Trust to Richard P. Gadilauskas & Nancy E. Brady, dated September 13, 1983 and recorded with Worcester District Registry of Deeds at Book 7917, Page 11.

The above described property is represented upon Sterling Assessors Tax Map 32 as Parcel 4-3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Richard P. Gadilauskas and Nancy E. Brady	$ 53,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $53,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 4.3 acres of land owned by Robert E. Goodnow, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 4.3 acres of land owned by Robert E. Goodnow, et ux, located in the Town of West Boylston, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 31, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Worcester Street in the said Town of West Boylston, more particularly bounded and described as follows:

Beginning at a point in the easterly line of Worcester Street, at the southwesterly corner of the parcel herein being described, said point being located N. 0° 54′ 10" E, 37.79 feet from a Worcester County Highway bound in the easterly line of said highway at land, formerly of one Hartwell, now or formerly, of Luke H. Richards, Jr. & Anne M. Robichaud;

Thence S. 79° 56′ E., 105.68 feet, by land, now or formerly, of the aforesaid Richards & Robichaud, to an iron pipe, at land, formerly of one Carrie L. Pierce, now or formerly, of John J. & Linda McManus;

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Thence S. 43° 36′ E., 476.02 feet, partially by land, now or formerly, of the aforesaid McManus, and partially by land, now or formerly, of Bradford S. & G. Ruth Rawson, to a point;

Thence N. 87° 20′ 50" E., 200.00 feet, by lands, now or formerly, of the aforesaid Rawson, to a point in the westerly line of Maple Street, said point being the northeasterly corner of land, now or formerly, of Rawson;

Thence Northerly by the westerly line of Maple Street and a curve to the right with a radius of 5550.66 feet, an arc distance of 155.50 feet, to a point at land, formerly of one Foster, now or formerly, of Kalevi A. Hyyrynen, said point being located 99.16 feet southerly of the Worcester County Highway bound marking the northerly terminus of the above referenced curve;

Thence S. 62° 36′ W., 54.37 feet, partially by a stone wall, to a point therein;

Thence S. 50° 33′ W., 10.66 feet, by the wall, to another point therein;

Thence S. 31° 05′ W., 41.84 feet, by the wall, to another point at or near its terminus;

Thence N. 49° 28′ W., 229.40 feet, by a fence line, to a point;

Thence N. 47° 49′ 20" W., 252.62 feet, by the fence line, to a point;

Thence N. 13° 33′ 30" W., 66.11 feet, to a point in the southerly end of a stone wall, the last six courses being by land, now or formerly, of the aforesaid Hyyrynen;

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Thence N. 11° 51′ 30" W., 312.60 feet, by the stone wall, partially by land, now or formerly, of Hyyrynen, partially by land, now or formerly, of Richard J. & Rodella A. Hebert, and partially by land, now or formerly, of Piro N. & Elizabeth A. Spiro, to a point in the stone wall, at other land, now or formerly, of Robert E. & Judith A. Goodnow, said point being located S. 10° 88′ E., 70.77 feet from the drill hole at the northerly end of the wall;

Thence Southwesterly, by the remaining land, now or formerly, of Goodnow, in a straight line, 260 feet to a Worcester County Highway bound in the easterly line of Worcester Street;

Thence S. 0° 54′ 10" E., by the easterly line of Worcester Street, 405.81 feet, to the point and place of beginning.

Containing 4.3 acres, more or less, by estimation, and being the southerly parcel shown upon a plan entitled "Plan Of Land In West Boylston Mass. Owned By Goodnow Et Al", dated August 6, 1953, and prepared by Francis B. Thompson, C.E., a reduced copy of which plan is attached to this order as "Exhibit A" and made a part thereof.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Street and/or Maple Street which may be held by the supposed owners, as a result of their ownership of the above described property, and being the southerly portion of the same premises described in a deed from Barbara H. Simpson to Robert E. Goodnow and Judith A. Goodnow, dated July 23, 1975 and recorded with Worcester District Registry of Deeds in Book 5771, Page 199.

The above described property is represented upon West Boylston Assessors Tax Map 158 as the southerly portion of Parcel 30.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert E. Goodnow and Judith A. Goodnow	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, July 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 68.24 acres of land owned by Herbert A. Nelson, located in the Towns of Sterling and Princeton, Massachusetts, and to approve an award of damages in the amount of $680,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 68.24 acres of land owned by Herbert A. Nelson, located in the Towns of Sterling and Princeton, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 31, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Sterling and Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two (2) certain parcels of land bounded and described as follows:

TRACT I. A certain tract of land situated in the westerly part of Sterling, Worcester County, Commonwealth of Massachusetts, and containing forty-three (43) acres and thirty-nine (39) rods, more or less, and being bounded and described as follows:

BEGINNING at the northerly corner thereof by the old North County Road;

THENCE South 36° West, by the dividing line between said Sterling and the Town of Princeton, eighty-two (82) rods to a corner;

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THENCE South 67 1/2° East, thirty-five (35) rods and ten (10) links to an angle;

THENCE North 65 1/2° East, sixteen (16) rods and eighteen (18) links to an angle;

THENCE South 83° East, twenty-six (26) rods to a pond;

THENCE by said pond seven (7) rods and seven (7) links on said pond;

THENCE North 67 1/2° East, twenty-four (24) rods and sixteen (16) links to an angle;

THENCE South 22° East, five (5) rods to an angle;

THENCE North 61° East, twelve (12) rods and six (6) links to an angle;

THENCE North 31° East, fifteen (15) rods and fifteen (15) links to an angle;

THENCE North 18° East, ten (10) rods and ten (10) links to an angle;

THENCE North 17° West, ten (10) rods to an angle;

THENCE North 28° East, ten (10) rods to said old North County Road;

THENCE by said road in a westerly direction, ninety-two (92) rods to the place of beginning.

Excepting therefrom a parcel containing approximately 1.2 acres, as described in a deed from Herbert C. Nelson to Herman W. Nelson, et ux, dated September 18, 1987, and recorded with the Worcester District Registry of Deeds in Book 10810, Page 331.

TRACT II. A certain tract of land situated in the northeasterly part of the Town of Princeton, Worcester County, Commonwealth of Massachusetts, and bounded and described as follows:

BEGINNING at the northeasterly corner on the Princeton Town Line, at a stake and stones;

THENCE running westerly by three (3) rods and twenty (20) links to stones;

THENCE North 80° West, fifty-seven and one-half (57 1/2) rods to a stake and stones;

THENCE South 32° West, sixty-two (62) rods to a stake and stones;

THENCE South 62° East, fifty-eight and one-half (58 1/2) rods by land now or formerly of Benjamin Stuart to a stake and stones on the Princeton Town Line;

THENCE North 31° East, on said Town Line eighty (80) rods and fifteen (15) links to the place of beginning.

Containing twenty-six (26) acres of land, more or less.

The above two tracts are described as Tracts I and II and comprise a portion of the property conveyed by deed from Herbert C. Nelson to Herbert A. Nelson, said deed dated March 11, 1996, and recorded with said Deeds in Book 17755, Page 340. Said tracts are further represented, respectively, as Parcel 4 on Map X29 of the Sterling Assessors Tax Maps, and Parcel 47 on Map 5 of the Princeton Assessors Tax Maps.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in and to the old North County Road, also known as Lucas Road, and any and all interest in and to the pond known as Stuart's Pond, which may be held by the supposed owner.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Herbert A. Nelson	$ 680,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $680,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 23.15 acres of land owned by William F. McNamara, et al, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 23.15 acres of land owned by William F. McNamara, et al, located in the Town of Sterling, MA.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 31, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain contiguous parcels of land lying on the southerly side of Mortimer Road, and off of the southerly side of said road, in the Town of Sterling, more particularly bounded and described as follows:

Parcel 1.

Beginning at an iron pipe at a point in the southerly line of Mortimer Road, at land, formerly of Abraham Sorbelli, now or formerly, of John P. & Ellen M. Hehir, said point being at the northwesterly corner of the parcel herein being described;

Thence S. 77° 23′ 00" E., 1100.63 feet, by the southerly line of the road, to a point at land, formerly of Isodore Trudeau, now or formerly, of Sharon A. Staz;

Thence S. 09° 16′ 30" W., 348.26 feet, by land, now or formerly, of Staz, to a point at land, formerly of Burton Blake, now or formerly, of Michael & Deborah Aquafresca;

Thence N. 76° 13′ 50" W., 399.70 feet, by land, now or formerly, of Aquafresca, to a point;

Thence S. 25° 16′ 10" W., 234.90 feet, by land, now or formerly, of Aquafresca, to a point at a stone wall, and other land, formerly of Burton Blake, now or formerly, of William F. McNamara & William F. McNamara, father & son, being the second lot described below;

Thence N. 67° 55′ 50" W., 687.40 feet, by the stone wall and Lot 2 as described below, other land, now or formerly, of McNamara, to a point at other land, formerly of Abraham Sorbelli, now or formerly, of James E. & Catherine L. Amsden;

Thence N. 13° 40′ 40" E., 456.02 feet, by land, formerly of Sorbelli, now or formerly, of Amsden, of Scott P. & Diane M. Marden, and of the aforesaid Hehir, to the iron pipe first mentioned, being the point and place of beginning.

Containing 11.61 acres as shown upon a plan entitled "Land In Sterling Surveyed For Abraham Sorbelli", dated June 1958, prepared by Charles A. Perkins Co., and recorded with Worcester District Registry of Deeds as Plan 36 in Plan Book 233.

Parcel 2.

Beginning at a point at the northeasterly corner of the parcel herein being described, at a stone wall, and land formerly of Susie G. Blake & Burton L. Blake, now or formerly, of Michael & Deborah Aquafresca, and at other land, now or formerly, of McNamara, described as Parcel 1, above, said point being also the southeasterly corner of Parcel 1;

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Thence S. 25° 51′ 00" W., 880.81 feet, by land, now or formerly, of Aquafresca, to a point at land, now or formerly, of the Worcester, Nashua & Portland Division of the Boston & Maine Railroad, and at land, formerly of John M. Christensen, now or formerly, of Gary Turner, said point being at the southeasterly corner of the parcel herein described;

Thence N. 62° 14′ 00" W., 474.00 feet, to a point at the center of an abandoned way, and other land, now or formerly, of Gary Turner;

Thence N. 09° 11′ 00" E., 836.20 feet, by the center of the former way, and land, formerly of Christensen, now or formerly, of Turner, of Paul Merrill & Lorna Mattus-Merrill, of Paul H. & Debra Germain, of James & Theresa Coakley, and of Randy L. & Carolyn H. Schmidt, to a point at the above referenced stone wall, and at land, now or formerly, of James E. & Catherine L. Amsden;

Thence S. 69° 16′ 00" E., 716.40 feet, by the wall, partially by land, now or formerly, of Amsden, and mostly by other land, now or formerly, of McNamara, described as Parcel 1, above, to the point at the northeasterly corner being the point and place of beginning.

Containing 11.54 acres as shown upon a plan entitled "Land In Sterling Owned By Paul & William McNamara", dated October 1959, prepared by Charles A. Perkins Co., and recorded with said Deeds as Plan 26 in Plan Book 243.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mortimer Street and/or the abandoned way formerly leading to West Boylston which may be held by the supposed owner, as a result of their ownership of the above described property, and being the same premises described in two deeds from William F. McNamara and Paul R. McNamara to William F. McNamara & William F. McNamara, father & son, dated December 22, 1988, and recorded with Worcester District Registry of Deeds in Book 11830, Pages 323 and 324.

The total area of the two contiguous parcels described above as Parcels 1 and 2, intended to be taken herein and hereby, is calculated to be 23.15 acres, more or less.

The above described property is represented upon Sterling Assessors Tax Map 23 as Parcel 1 and Map 26 as Parcel 5A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
William F. McNamara and William F. McNamara	$ 350,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, July 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 382 acres of land owned by Orrin W. Mason, Jr., et ux, located in the Towns of Holden and Princeton, Massachusetts, and to approve an award of damages in the amount of $4,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 382 acres of land owned by Orrin W. Mason, Jr., et ux, located in the Towns of Holden and Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, July 31, 1997.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Chapter 15 of the Acts of 1996, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Holden and Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land, the first lying easterly of Mason Road, between Mason Road and Sterling Road, in the aforesaid Town of Holden, and the second lying westerly of Mason Road, mostly within the Town of Holden, but partially also within the corporate bounds of the Town of Princeton, more particularly bounded and described as follows:

Parcel 1.

Beginning at the southeasterly corner of the parcel herein being described, at an iron pipe found in a corner of stone walls, in the northwesterly line of Sterling Road, said pipe marking the southwesterly corner of land, formerly of Dorothy C. Peters, now or formerly, of Brian M. Wright, (see deed recorded with Worcester District Registry of Deeds in Book 16954, Page 292);

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Thence Southwesterly, by the northwesterly line of Sterling Road, a distance estimated to be 1456 feet, more or less, to an iron pipe marking the northeasterly corner of a parcel of land, now or formerly, of James P. & Marcia C. Alicata, shown as parcel #6 upon Plan Book 298, Plan 94, as recorded with said Deeds;

Thence Northwesterly, by parcel #6, 1187.38 feet, more or less, crossing Governor Brook to another iron pipe, at a corner;

Thence Southwesterly, by parcels #6, as subsequently subdivided, #5 and #4, land, now or formerly, of J.P. & M.C. Alicata, of J.P. Alicata & Steven R. Foster, of Kevin J. & Linda M. Letourneau, of Matthew & Gail Phillips, and of David M. & Jayne E. Chase, 619.30 feet, more or less, to a point at which a nail was placed in an oak stump, marking the northwesterly corner of parcel #2, as shown upon the above referenced plan, land, now or formerly, of Edward B. Jr. & Karen A. Dlugasz;

Thence Northwesterly, by parcels #2 and #3, land, now or formerly, of E.B. Jr. & K. A. Dlugasz, and of Carolyn L. Arego, 210.54 feet, more or less, to a drill hole in the stone wall marking the northeasterly line of Mason Road;

Thence Northerly and Northeasterly, by the northeasterly and easterly line of Mason Road, about 1273 feet, more or less, to a monument at the southwesterly corner of Parcel "B" land, now or formerly, of Orrin W. Mason, Sr., shown together with Parcel "A", other land, now or formerly, of Orrin W. & Cynthia L. Mason, upon a plan recorded with said Deeds as Plan Book 487, Plan 32, said Parcels "A" and "B" are specifically excluded from the provisions of this instrument of taking, and are reserved to the use and enjoyment of the supposed owners, their heirs and assigns (deed reference for Parcel "B" see W.D.R.D. Book 2733, Page 354, deed description for Parcel "A" see W.D.R.D. Book 16377, Page 263)

Thence Southeasterly, by the southwesterly line of Parcel "B", 171.45 feet, more or less, to another monument at the southwesterly corner of Parcel "A";

Thence Southeasterly, by the southwesterly line of Parcel "A", 433.58 feet to an iron pipe at a corner;

Thence Northeasterly, by the easterly line of Parcel "A", 572.27 feet, more or less, mostly by a stone wall, to an iron pipe at the northeasterly corner of Parcel "A";

Thence Northwesterly, by the stone wall marking the northerly line of Parcel "A", 618.10 feet, more or less, to an iron pipe in the easterly line of Mason Road;

Thence Northerly, by the easterly line of Mason Road, 1725 feet, more or less, to a drill hole found in a corner of stone walls at the southwesterly corner of land, now or formerly, of Donald R. & Jeanette M. Temple, as described in a deed recorded with said Deeds at Book 11529, Page 25;

Thence Southeasterly, by the stone wall and land, now or formerly, of D.R. & J. M. Temple, 455.67 feet, more or less, to another drill hole found in a corner of walls, at land formerly of Temple, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated June 20, 1996, recorded with W.D.R.D. in Book 18052, Page 297);

Thence Southeasterly, by the stone wall and land of the Commonwealth, MDC, 798.24 feet, more or less, recrossing Governor Brook, to a drill hole made in a corner of stone walls, at land, formerly of Robert S. Mirick, Jr., now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Enviromental Law Enforcement, (see instrument recorded with W.D.R.D. at Book 14278, Page 339) and land, formerly of Donald R. & Ann M. Haynes, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated November 14, 1996, recorded with W.D.R.D. in Book 18463, Page 267);

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Thence Southwesterly, by land, formerly of D.R. & A. M. Haynes, 1706.79 feet, more or less, to an iron pipe found at the northwesterly corner of land, now or formerly, of the aforesaid Brian M. Wright;

Thence Southeasterly, 537.85 feet, more or less, to a point at the end of a stone wall;

Thence Southeasterly, running by the wall, a total of 254.15 feet, more or less, to the iron pipe in the line of Sterling Road, being the first mentioned point and point and place of beginning, the last two courses being by land, now or formerly of B. M. Wright.

Parcel 1, as described above, is estimated to contain about 119.5 acres, more or less.

Parcel 2.

Beginning at a point in the Holden-Princeton Corporate Line, being the northwesterly corner of that portion of Parcel 2 wholly within the Town of Holden, at land, formerly of Robert S. & Katherine H. Mirick, now of the Commonwealth of Massachusetts, Division of Fisheries, Wildlife and Environmental Law Enforcement (DFWELE);

Thence Southeasterly, 430 feet, more or less, to a point at a corner;

Thence Southeasterly, 115.5 feet, more or less, to a point at another corner;

Thence Northerly, 57.7 feet, more or less, to a point at another corner;

Thence Easterly, 721.87 feet, more or less, to a point at which a hemlock tree formerly stood, being a corner of land, formerly of R.S. & K. H. Mirick, now of the Commonwealth, DFWELE, and of Land, now or formerly, of David J. & Donna G. Dugan (see W.D.R.D. Book 14307, Page 369), the last four courses being by land, formerly of Mirick, now of the Commonwealth, DFWELE;

Thence Easterly, 415 feet, more or less, to a point in a heap of stones, at a corner;

Thence Southeasterly, 115.5 feet, more or less, to a point at a stake and stones, at a corner;

Thence Southeasterly, 504 feet, more or less to a corner of a stone wall in the westerly line of Mason Road, the last three courses being by land, now or formerly, of D.J. & D.G. Dugan;

Thence Southerly, by the westerly line of Mason Road, a distance estimated to be 1874 feet, more or less, to a stone wall corner, said corner being the northeasterly corner of another parcel of land, now or formerly, of Orrin W., Jr. & Cynthia L. Mason, shown upon a plan recorded with said Deeds as Plan Book 333, Plan 98, which parcel herein designated Parcel "C", is specifically excluded from the provisions of this instrument of taking, and reserved to the use and enjoyment of the supposed owners, their heirs and assigns (see W.D.R.D. Book 16377, Page 263) ;

Thence Northwesterly, by the stone wall and northerly line of Parcel "C" 309.27 feet, more or less, to a point at the northwesterly corner of Parcel "C";

Thence Southwesterly, by the westerly line of Parcel "C", 325 feet, more or less, to a point at the southwesterly corner of Parcel "C";

Thence Southeasterly, by the southerly line of Parcel "C", 300 feet, more or less, to a point in the stone wall marking the westerly line of Mason Road;

Thence Southerly, by the stone wall and the westerly line of Mason Road, 1513 feet, more or less, to a point at land, now or formerly, of the North Worcester Fox and Coon Club (see W.D.R.D. Book 2703, Page 375);

Thence Westerly, 309.54 feet, more or less, to a point at an angle;

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Thence Northwesterly, 407.88 feet, more or less, in two courses, crossing and recrossing a stream, to a point;

Thence Northwesterly, 966.9 feet, more or less, to a point at a corner;

Thence Southwesterly, 522.75 feet, more or less, to a point in a heap of stones at a corner;

Thence Northwesterly, 974 feet, more or less, to a point in a heap of stones, at a corner, and land, now or formerly, of John C. Oliver, known as the "Barrett Lot" (see W.D.R.D. Book 3955, Page 165), the last five courses being by lands, now or formerly, of the North Worcester Fox and Coon Club;

Thence Northeasterly, 1135 feet, more or less, by the "Barrett Lot", to a point at a corner;

Thence Northwesterly, 1805 feet, more or less, by the "Barrett Lot", to a point in the Holden-Princeton Corporate Line, at land, in Princeton, now or formerly of Denise Dourdeville, Holly Carnwright, Theodore Dourdeville & Karen Moore (see W.D.R.D. Book 13036, Page 165);

Thence Northwesterly, 978 feet, more or less, by land, now or formerly, of Dourdeville et als, to a point in a corner of stone walls, at land, formerly of Vanda M. Solomon, now of the Commonwealth of Massachusetts, Metropolitan District Commission (see instrument dated June 20, 1996, recorded with W.D.R.D. at Book 18052, Page 314);

Thence Northwesterly, by the stone wall, and land of the Commonwealth, Metropolitan District Commission, 344.74 feet, more or less, to a point in a corner of stone walls;

Thence Northeasterly, by the wall and land formerly of V. M. Solomon, 1129.25 feet, more or less, to a point in another stone wall corner;

Thence Northwesterly, by the wall and land of the Commonwealth, Metropolitan District Commission, 219 feet, more or less, to another point in a stone wall corner;

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Thence Northeasterly, by the wall and land formerly of V.M. Solomon, 306.97 feet, more or less, to a point at a corner of land, now or formerly, of Richard E. & Eleanor M. Sandstrom (see W.D.R.D. Book 4028, Page 563);

Thence Northeasterly, 466 feet, more or less, to a point at a corner;

Thence Southeasterly, 712 feet, more or less, to a point at another corner;

Thence Northeasterly, 660 feet, more or less, to a point in a stone wall corner, marking the westerly line of land, now or formerly, of the Nimrod League of Holden, Inc. (see W.D.R.D. Book 2775, Page 363), the last three courses being by land, now or formerly, of R. E. & E. M. Sandstrom;

Thence Northeasterly, 727 feet, more or less, to a point in a stone wall;

Thence Northeasterly, 248 feet, more or less, by the stone wall, to a point in a corner of walls;

Thence Southeasterly, 375 feet, more or less, by the stone wall, to a point in the wall;

Thence Southeasterly, 168 feet, more or less, by the wall, to a point;

Thence Southeasterly, 260 feet, more or less, to a point in the Holden-Princeton Corporate Line, at land, in Holden, formerly of R. S. & K. H. Mirick, now of the Commonwealth of Massachusetts, DFWELE, the last five courses being by land, now or formerly, of the Nimrod League of Holden, Inc.;

Thence Southwesterly, 440 feet, more or less, by estimation, along the Holden-Princeton Corporate Line, to the first mentioned point in said line, being the point and place of beginning.

There is excluded from the perimeter description of Parcel 2 above, a parcel of land supposed to contain 14 acres, more or less, as described in a conveyance dated October 29,

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1824, from James Barrett to Thomas How or Howe recorded with Worcester District Registry of Deeds at Book 364, Page 477. This excluded parcel appears to be the same premises described as Parcel III in a deed from Mary M. Dourdeville to Denise Dourdeville et als dated June 18, 1990 and recorded with said Deeds at Book 13036, Page 264.

As above described, with the exclusion considered, Parcel 2 is estimated to contain 78.54 acres, more or less, in Princeton and 183.96 acres, more or less, in Holden, or a total of 262.5 acres total.

Together Parcels 1 and 2 are estimated to contain 382 acres, more or less.

The descriptions set forth above were derived from deed descriptions and deed plots for the locus property, deed descriptions and deed plots for abutting properties, recorded and unrecorded survey plans, engineering studies performed for the former owners, and information obtained from both Holden and Princeton Assessors plans. In addition to the three recorded survey plans cited within the above descriptions, the following plans were used:

"Plan of Land in Princeton and Holden owned by Howe Lumber Co., Marlboro, Mass.," dated May 1937, Wm. P. Ray, C.E. recorded with said Deeds at Plan Book 112, Plan 59.

"Preliminary Plan of Proposed Subdivision in Princeton, Mass. Owned by Vanda M. Solomon," dated November 18, 1988, prepared by James B. Kalloch R.L.S., unrecorded, a copy of which is on file with the Real Property Office of the Metropolitan District Commission ("MDC"), 20 Somerset Street, Boston, MA 02108.

"Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County) Massachusetts, Land Taking Plan for Watershed Protection," dated 6/14/96, prepared by Andrysick Land Surveying, Inc., unrecorded, a copy of which is on file with the Real Property Office of the MDC.

"Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County) Massachusetts, Land Taking Plan for Watershed Protection," Two Sheet Plan, dated 6/20/96, prepared by Andrysick Land Surveying, Inc., unrecorded, a

copy of which is on file with the Real Property Office of the Metropolitan District Commission.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road and/or Mason Road which may be held by the supposed owners, as a result of their ownership of the above described property, and being all of the same premises described in a series of six quitclaim deeds from Orrin W. Mason, Jr. and Cynthia L. Mason to Orrin W. Mason, Jr. and Cynthia L. Mason, all dated June 1, 1994, and recorded with Worcester District Registry of Deeds in Book 16377, Pages 259, 260, 262, 265, 266, and 270.

As previously referenced within the above description of the land taken hereby, the Commission expressly excludes from the land taken by this Order, those parcels designated as Parcels "A" and "B" on a plan of land recorded with the Worcester District Registry of Deeds as Plan 32 in Plan Book 487, and that parcel shown as containing 86,250 square feet, more or less, or 1.98 acres, on a plan of land recorded with said Deeds as Plan 98 in Plan Book 333.

Reserving and granting solely to Orrin W. Mason, Jr., the right to continue to hay the farm fields adjoining the excluded residences upon the easterly side of Mason Road, within Parcel 1 as above described (expressly not including the existing farm field off Sterling Road), and the farm fields along the westerly side of Mason Road, within Parcel 2 as above described, but only for so long as he retains an ownership interest in the remaining Mason Farm lands. This right to continue to hay, is subject to a two-hundred-foot buffer area from any existing tributary, stream or other water source situated on and within said Parcels 1 and 2, and provided that there shall be no cutting or clearing of such buffer areas. This right to continue to hay is a personal right, not a right running with the land, and is not assignable nor transferable; and furthermore, such right shall terminate immediately upon the transfer of all or any portion of the remaining Mason Farm lands by said Orrin W. Mason, Jr.

The above described property in Holden is represented upon Holden Assessors Tax Map 9 as Parcel 3, Tax Map 10 as Parcel 1.1, Tax Map 14 as Parcel 2, Tax Map 15 as Parcels 1.03, 1.04, 1.05, and 2, and Tax Map 16 as Parcels 2 and 5.

The excluded parcels in Holden are represented upon Tax Map 15 as Parcel 1.01, and upon Tax Map 16 as Parcels 3 and 4.

The above described property in Princeton is represented upon Princeton Tax Map 15 as Parcel 54, and a portion of the northeasterly end of Parcel 53, as well as part of the northwesterly portion of Parcel 20 on Tax Map 18 (actually depicted on Map 15).

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Orrin W. Mason, Jr. and Cynthia L. Mason	$ 4,000,000.00

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The Commission further V O T E D: to approve an award of damages in the amount of $4,000,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 9:50 a.m., to meet on Thursday, August 7, 1997, at 9:00 a.m.

William F. Cowhig
Secretary

Record of the Three Thousand Eight Hundred and Twentieth (3820th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 7, 1997 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on July 24, 1997 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, July 24, recommending approval of an extension of time from July 25, 1997 to August 15, 1997, on Contract No. P97-1892-C1A, with Great Northern Site Corporation, for Demolition of the James E. Phelan Memorial Pool, West Roxbury.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from July 25, 1997 to August 15, 1997, as recommended by Messrs. Faucher and Mayhew in their report of July 24, 1997, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Mayhew, July 31, on bids for Upper Charles River Reservation Restoration - Phase 1B - Newton, Waltham, Contract No. PL92-017-C2A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of D & C Waterline Industries/Norwell Equipment Co., Inc./D & C Construction Co., Inc./D & C Realty Trust, of $1,623,480.00).
The Commission V O T E D: to accept the lowest bid received, that of D & C Waterline Industries/Norwell Equipment Co., Inc./D & C Construction Co., Inc./D & C Realty Trust, of $1,623,480.00.

3. Report of Messrs. Faucher, Brooks and Martinez, July 25, on bids for Demolition and Replacement of the Roof at the Almys Building, Brighton, Contract No.P97-1915-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of Gibsons Roofs, Inc., of $282,500.00).
The Commission V O T E D: to accept the lowest bid received, that of Gibsons Roofs, Inc., of $282,500.00.

4. Report of Messrs. Faucher and Lespasio, July 29, recommending approval of the request of R.H.D. Construction Co., Inc., Contractor on Contract No. PL82-1022-C1A, for Revere Landing Park, Charlestown, to engage the services of RJV Construction Corp., as sub-contractor for Water Service Installation, at a value of $5,000.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Lespasio in their report of July 29, 1997.

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1. Report of Messrs Faucher and Abounaja, July 30, recommending approval of a revision in quantities on Item No. 02800 - 10 - Soil Boring - $2,400.00, on Contract No. P97-1898-C1A, with RHD Construction Co., Inc., for Unquity Road Landfill Closure in Milton.
(At no increase in cost as the revision will be offset by unused quantities in Item No. 02800 - 20 - Rock Coring).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Haider, July 14, recommending the following on Contract No. P95-1813-M1A, with P. H. Mechanical Corporation, for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities within the Metro Park Systems -
(a) That work be accepted as complete as of June 30, 1997.
(b) That Estimate No. 15 (Final), in the amount of $6,086.02, be approved for payment.
(c) That reserve, in the amount of $2,518.69, be approved for payment.
(Basis of Award - $123,000.00)
(Amount to Date - $121,873.82)
(Contract Performance Rating - 88 with 100 being excellent)
(EEO Compliance - 1.88)
The Commission V O T E D: that the work of P. H. Mechanical Corporation, Contractor under Contract No. P95-1813-M1A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: to approve Estimate No. 15 (Final), in the amount of $6,086.02, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,518.69, for payment.

3. Report of Messrs. Faucher and DiPietro, July 31, recommending the following on Contract No. P87-1449-M5A (FY1996-1997), with Inchcape/Woods Hole Group, for Water Quality Testing at MDC Recreational Waters -
(a) That work be accepted as completed as of June 30, 1997.
(b) That Final Invoice, in the amount of $8,032.00, be approved for payment.
(c) That retainage, in the amount of $3,190.00, be approved for payment.
(Basis of Award - $40,000.00, for each fiscal year)
Fiscal Year 1996 - expended - $33,092.32.
Fiscal Year 1997 - expended - $31,900.00.
(Contract Performance Rating - 9.50 with 10.00 being excellent)
(EEO Compliance Rating - N/A)
The Commission V O T E D: that the work of Inchcape/Woods Hole Group, Contractor under Contract No. P87-1449-M5A, be and hereby is accepted as completed as of June 30, 1997.
The Commission further V O T E D: Final Invoice, in the amount of $8,032.00, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $3,190.00, for payment.

4. Report of Miss Overton and Messrs. Faucher and Abounaja, July 30,

on bids for Contaminated Site Clean-up at Indian Line Farm, Canton, Contract No. P95-1789-C2A.
(Miss Overton and Messrs Faucher and Abounaja recommend acceptance of the lowest bid received, that of Triumvirate Environmental, Inc., of $311,752.50).
The Commission V O T E D: to accept the lowest bid received, that of Triumvirate Environmental, Inc., of $311,752.50.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Mayhew, August 1, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. PL92-017-C1A, with D & C Construction Co., Inc., for Upper Charles River Reservation Restoration - Phase I -

Item No. 3	- Gravel Borrow	-	$ 13,429.00
Item No. 4	- Dense Graded Crushed Stone	-	$ 2,940.00
Item No. 5	- Crushed Stone	-	$ 2,200.00
Item No. 7	- Ordinary Borrow From on Site Sources	-	$ 3,560.00
Item No. 8	- Rounded River Stone	-	$ 2,000.00
Item No. 9	- Unclassified Excavation	-	$ 49,630.00
Item No. 11	- Filter Fabric	-	$ 3,040.00
Item No. 29	- 12" R.C. Pipe	-	$ 1,620.00
Item No. 43	- Chain Link Fence	-	$ 2,140.00
Item No. 46	- Wood Fence	-	$ 4,100.00
Item No. 47	- Wood Markers	-	$ 1,500.00
Item No. 50	- Medium Boardwalk	-	$ 10,240.00
Item No. 51	- High Boardwalk	-	$ 37,600.00
Item No. 56	- Pinned Footings	-	$ 350.00
		Total =	$134,313.00

Funding from Account No. 2490-0017.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Abounaja, August 4, requesting approval of an increase in funding in the amount of $40,000.00 for asbestos removal at the Almy's Building, Brighton and One Land Boulevard, Cambridge, on Contract No. P88-1548-C4A, with SCS Environmental Services, Inc., for Asbestos Abatement at Various MDC Facilities.
Funding available in Account No. 2441-9952.
The Commission V O T E D: to approve an increase in funding in the amount of $40,000.00 for asbestos removal at the Almy's Building, Brighton and One Land Boulevard, Cambridge, on Contract No. P88-1548-C4A, with SCS Environmental Services, Inc., for Asbestos Abatement at Various MDC Facilities.

3. Report of Messrs. Faucher, Brooks and Haider, July 31, on bids for Servicing of HVAC Systems at Various MDC Facilities within the Metropolitan Parks System, Contract No. P97-1916-M1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of P. J. Kennedy & Sons, Inc., of $151,000.00.)
The Commission V O T E D: to accept the lowest bid received, that of P.J. Kennedy & Sons, Inc., of $151,000.00.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, July 21, requesting authorization for the Division and the Contract Administrator to solicit proposals from a minimum of three firms for Project No. WM98-076-C1A, for Electric Power Connection MDC Maintenance Yard, Clinton.
Estimated Cost - under $10,000.00.
Time for Performance - estimated at thirty days from Notice to Proceed.
Account No. 2420-1400.
The Commission V O T E D: authorization for the Division and the Contract Administrator to solicit proposals from a minimum of three firms for Project No. WM98-076-C1A, for Electric Power Connection MDC Maintenance Yard, Clinton.

Action was taken upon the following matter relating to the Office of Real Property:

2. Report of Messrs. Gray and Hart, July 28, recommending the following on Consultant Contract No. RP97-0003-2, with Cullinan Engineering, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of February 10, 1997.
(b) That Invoice No. 2 (Final), in the amount of $2,197.00, be approved for payment.
(Basis of Award - $15,544.00)
(Amount to Date - $15,544.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Cullinan Engineering, Inc., Consultant under Contract No. RP97-0003-2, be and hereby is accepted as completed as of February 10, 1997.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $2,197.00, for payment.

Adjourned at 10:10 a.m., to meet on Thursday, August 14, 1997, at 9:00 a.m., at the Charles River Watershed Association, 2391 Commonwealth Avenue, Newton.

William F. Gaskill
Secretary

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Record of the Three Thousand Eight Hundred and Twenty First (3821st) meeting of the Metropolitan District Commission duly called and held in the Conference Room, Executive Office of Environmental Affairs, 20th Floor, Saltonstall Building, 100 Cambridge Street, Boston, Massachusetts, on Friday, August 15, 1997 at 9:30 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

1. Secretary Trudy Coxe of the Executive Office of Environmental Affairs (EOEA) opened the meeting and provided an overview of what her office was attempting to achieve with the Second Amendment to the Memorandum of Agreement (MOA).
She explained that she was trying to move the development of the Charles River Park forward as quickly as possible using the expertise of both the Metropolitan District Commission (MDC) and the Central Artery/Tunnel (CAT) people.
She noted that the project has a price tag of $80 million which she felt was more than the Commonwealth's budget for statewide parks.
Secretary Coxe then stated that the (MOA) will create a process where a formalized partnership can be developed for all involved parties.
She then outlined the role of the projects Steering Committee which includes the Undersecretary of (EOEA) as Chairman.
At this point, Peter Zuk, (CA/T) Project Director, stated that the (MOA) creates a partnership in terms of executing the building of the parkland while keeping control under (EOEA) and (MDC) leadership.
He then stated that the Executive Office of Transportation and Construction (EOTC) shares the Commission's concerns in seeing that the park is finished. In addition to building a good highway, he noted, there is a need to construct a good parkland system and a good open space system once the highway has been completed.
Associate Commissioner Carr questioned what was meant by the expression "1993 dollars" as used in the (MOA).
Peter Zuk responded that when the original Agreement was signed in 1993, a commitment of $80 million was made along with a commitment for inflation. He noted that an additional $4 million will be expended on the park due to the inflation factor.
Associate Commissioner Elkort asked what factor would be used to determine inflation.
Peter Zuk stated that he was not sure what the factor would be.
Associate Commissioner Elkort stated that if the (MOA) is approved, she would like to see the correct factor percentage incorporated into the document.
Associate Commission Carr questioned whether the $80 million will be guaranteed if the (MOA) is approved and executed.
Peter Zuk explained that the $80 million is guaranteed by the MEPA certificate, signed by the Secretary of (EOEA) and guaranteed by Administration and Finance.
He then stated that there is no set of circumstances under which the $80 million would not be guaranteed.
At this point, Associate Commissioner Carr spoke of what he felt

was an inconsistency with Page 3, Section B, of the (MOA), which states that the (MDC's) Park Design Manager has ultimate authority over park design related to the Charles River Basin Park and Page 7 of the (MOA).
He noted that on Page 7, of the (MOA), that (MHD) is responsible and (MHD) agrees to consult with the (MDC) through its Charles River Design Manager, the Citizens Advisory Committee (CAC) and the Steering Committee at the planning, 25% design, 75% design and 90% design stages - - with any conflict being referred to the Steering Committee for resolution.
Peter Zuk stated that in addition to being in charge of reviewing plans, this paragraph allows the (CAC) and Steering Committee, independent of the (MDC's) Project Design Manager, to review and comment on the designs. Therefore, he noted, we are bringing the (CAC) and the Steering Committee into the process.
Associate Commissioner Carr noted that the way the Organizational Chart for the Charles River Basin Team is presently set-up, any disputes with the (MDC) Parks Design Manager and others has to be ultimately decided by the Steering Committee.
Peter Zuk then explained that the statement that the (MDC's) Park Design Manager would have ultimate authority was to reinforce the notion and that it would therefore then go the Steering Committee and the (CAC).
He then stated that the word ultimate could be removed from the (MOA) without a problem.
Associate Commissioner Carr then questioned the legality of (MDC) employees reporting to people who are not state employees.
Peter Zuk explained that there is an Administration and Finance (A&F) regulation stating that a state employee may not report to a consultant.
If a conflict exists with the (A&F) regulation, he noted, the next senior state employee becomes responsible for the consultant activity.
He then explained that in the case of the (MOA), the supervising employee would be himself or Commissioner Balfour.
Associate Commissioner Carr questioned if (MDC) employees listed on the Organization Chart of the (MOA) would remain as (MDC) employees and maintain all (MDC) benefits.
Pete Zuk responded in the affirmative.
Associate Commissioner Carr then asked if all other (MDC) employees paid out of Central Artery funds would remain (MDC) employees and maintain (MDC) benefits.
Pete Zuk responded in the affirmative.
Associate Commissioner Wu noted that Michael Lewis of the (MHD) and Karl Haglund of the (MDC) would be considered as equals on the project.
He then questioned why Michael Lewis was a voting member of the Steering Committee and Karl Haglund was not.
Peter Zuk responded that Julia O'Brien of the (MDC) has that slot on the Steering Committee. He then stated that he would have no problem with Mr. Haglund being the voting member of the Steering Committee rather than Mrs. O'Brien.
Associate Commissioner Wu then stated that a better balance on the Steering Committee would be maintained if the (MDC) had an additional employee on the Committee.

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Peter Zuk then named the Steering Committee, which includes - - an (EOEA) Undersecretary as Chairman, the (MDC) Commissioner; the (MDC) Director of Planning; an (EOTC) Deputy Secretary; the Central Artery/Tunnel Project Director; the Central/Artery Tunnel Project Director of Design and Engineering; the Chair of the Citizen's
Advisory Committee (CAC); one (CAC) member from Boston and one (CAC) member from Cambridge.
Associate Commissioner Wu noting that the Steering Committee has three (CAC) members, suggested that the (MDC) have three or four members on the Committee.
Associate Commissioner Carr then questioned the need for three (CAC) members on the Committee.
Peter Zuk stated that he felt that these three (CAC) members are most important as external forces, not members of the bureaucracy, and therefore will help to expedite the project.
In reply to a question by Associate Commissioner Elkort, Peter Zuk stated that the Steering Committee holds a public meeting once a month.
It was then suggested that the (MDC) Deputy Commissioner for Policy be added to the Steering Committee for better balance.
Peter Zuk responded that he would not have a problem with adding one additional (MDC) employee to the Steering Committee.
Associate Commissioner Settles questioned who is ultimately in charge of the project.
Associate Commissioner Carr stated that it appeared that the Steering Committee is the ultimate resolving body. He then questioned how quickly the Steering Committee can respond to problems when they meet on a monthly basis. He then pointed out that public meetings require a 48 hour posted notice.
Peter Zuk explained that the Director of the Central Artery and the MDC Commissioner will not let a problem go unresolved for any length of time.
He then noted that through the Amendment, the Central Artery people are attempting to bring the project up to the Commission levels.
Associate Commissioner Elkort asked how long it would take to complete all of the parks.
Peter Zuk responded that all of the parks should be completed by 2003 or 2004.
He explained that the key to the overall project is getting all of the designers on board as quickly as possible.
Peter Zuk then noted that when the schedule for the project comes before the Steering Committee there will be accountability -- who is holding up the project.
Associate Commissioner Elkort questioned if the new arrangement will increase the cost of the project.
It was noted that the two years spent in getting to this point on the project has increased the cost. It was pointed out by Peter Zuk that he felt that under the new arrangement the project would be less costly.
He then spoke of the consultant costs for the project and stated that he felt they will deliver the personnel needed for the project.
Both Associate Commissioners Elkort and Wu stated that they would

like to see Karl Haglund having ultimate authority, as outlined in Section B, Page 3 of the (MOA), remain in the document.
Associate Commissioner Elkort noted that her main problem with the (MOA) Organizational Chart was the dotted line between the Park Product Design Manager and the Park Design Manager.
Peter Zuk stated that the reason for the dotted line is that Karl Hagland is a public employee and Steve Brewer of Parsons, Brinckerhoff, is a private employee. Therefore, a dotted line relationship is necessary.
Associate Commissioner Carr then spoke of approving the (MOA) in principal subject to incorporation of MDC suggestions into the final document prior to execution at next weeks meeting.
Associate Commissioner Elkort stated that she wanted to see an annual inflation factor of 2.35% compounded annually incorporated into the (MOA).
At this point, the Commission V O T E D: to approve the (MOA) in principal, subject to incorporation of the following into the document: the addition of the MDC's Deputy Commissioner for Policy as a voting member of the Steering Committee and an annual inflation rate of 2.35% compounded annually being built into the $80 million budget for the development of the Parks.

Adjourned at 10:45 a.m., to meet on Thursday, August 21, 1997, at the Metropolitan District Commission Headquarters Building, 20 Somerest Street, Boston, Massachusetts, at 9:00 a.m.

William F Cusack
Secretary

A J BOOKBINDER

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